DOCUMENT RESUME

ED 313 187 RC 017 323

AUTHOR	Gray, Andrew
TITLE	Yearbook 1988. IWGIA: 20 Years.
INSTITUTION	International Work Group for Indigenous Affairs, Copenhagen (Denmark).
PUB DATE	Apr 89
NOTE	278p.
PUB TYPE	Collected Works - General (020) -- Reports - Descriptive (141) -- Information Analyses (070)
EDRS PRICE	MF01/PC12 Plus Postage.
DESCRIPTORS	*Activism; *Civil Liberties; *Indigenous Populations; International Organizations; *Self Determination; *World Problems; Yearbooks
IDENTIFIERS	*International Work Group for Indigenous Affairs

ABSTRACT

The theme of this yearbook is the work of the International Work Group for Indigenous Affairs (IWGIA) during the 20 years of its existence and the enormous growth of the indigenous movement in that time. Section 1 traces IWGIA's history and includes the annual report for 1988. Section 2 is a global view of the main events in the indigenous world during 1988, presenting a comprehensive panorama with facts, texts, maps, and population figures. In 1988 atrocities against indigenous peoples continued on a huge scale and included mass killings, land alienation, and cultural destruction. Section 3 looks at developments in the International Labour Organization's (ILO) Revision of Convention 107 and the formation of the Declaration of Indigenous Rights at the United Nations. This section includes interviews and statements from five indigenous participants at ILO and UN meetings. Papers in section 4, the "focus" section include "Funding Deforestation: Conservation Woes at the World Bank" by Bruce Rich; "San, Human Rights, and Development in Southern Africa" by Robert Hitchcock and Sam Totten; "Indigenous People in Paraguay: A Brief Report" by Miguel Chase-Sardi; and "Will the Yanomami (of Brazil) Survive the Gold Rush?" by Teresa Aparicio. This yearbook ends with an index, by country, of all articles published by IWGIA in the last 20 years. (SV)

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YEARBOOK
1988

IWGIA
20 YEARS

RC 017323

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IWGIA YEARBOOK
ISSN 0902-6266

International Work Group for Indigenous Affairs (IWGIA) is an independent, international organisation which supports indigenous peoples in their struggle against oppression. IWGIA publishes the IWGIA Documentation Series in English and Spanish. The IWGIA Newsletter in English and the IWGIA Boletín in Spanish are published in four numbers annually. The Documentation and Research Department welcomes suggestions and contributions to the Newsletters, Boletines and Documentation Series.

IWGIA publications can be obtained through subscription or purchased separately. The subscription fee for 1989 is the following: English publications for individuals US$ 22, (£ 16), (Dkr. 175) and for institutions US$ 38 (£ 25),(Dkr. 275); Spanish publications for individuals US$ 22 and for institutions US$ 38.

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Yearbook compiled and written by Andrew Gray with special thanks for editorial work to Sheila Aikman and Fay Cohen.

IWGIA

Yearbook 1988

IWGIA - 20 YEARS

Copenhagen April 1989

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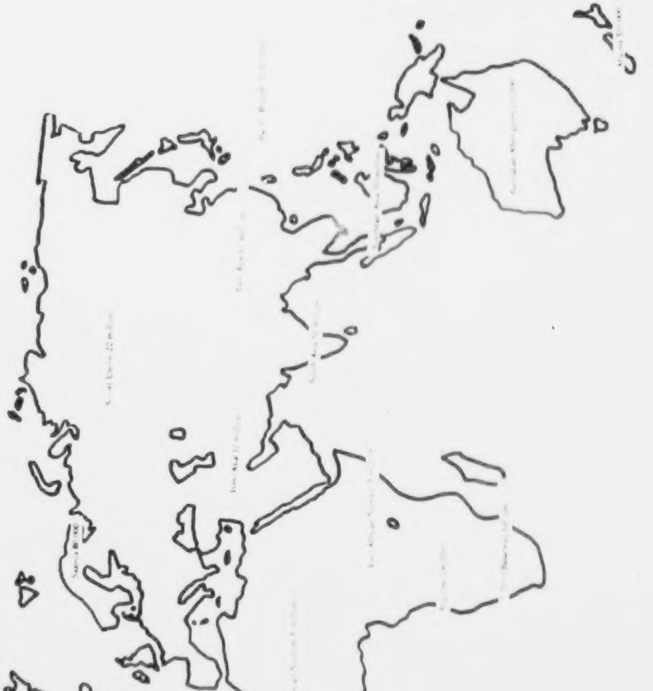
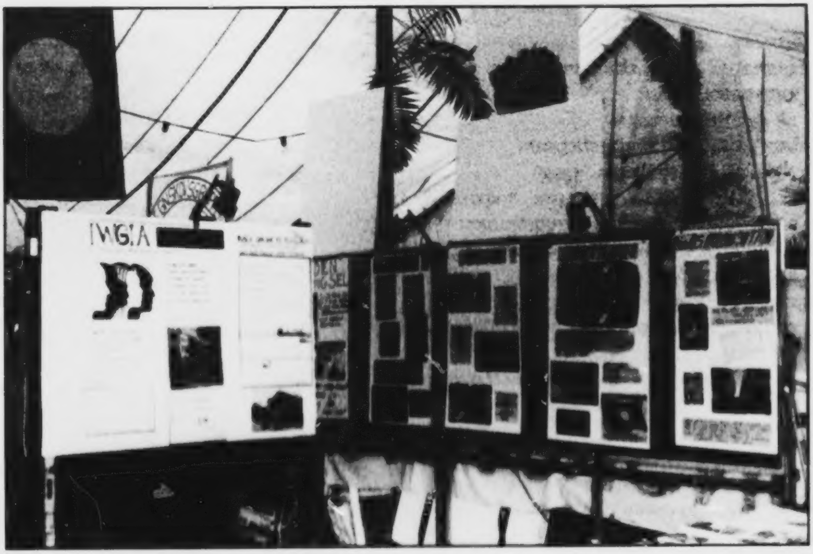

North America 3.5 million
Soviet Union 22 million
Highland Indians 19.5 million
Lowland Indians over 1 million

Map of Indigenous Population Distribution

Introduction

1988 was the 20th Anniversary of the founding of IWGIA. The theme of this 1988 Yearbook is the work of IWGIA over these years and the enormous growth in the indigenous movement.

The first section of the Yearbook traces IWGIA's history from the 1968 Congress of Americanists in Stuttgart to the IWGIA indigenous symposium at the 1988 Congress of Americanists in Amsterdam. The presentation largely takes the form of contemporary documents and articles. These include the resolution on which IWGIA was founded, articles by Lars Persson and Helge Kleivan, the first Chairman and Secretary General, extracts from Newsletter No. 1, the Declaration of Barbados (IWGIA's first document) and the 20th Anniversary speech given by Georg Henriksen at Amsterdam, in July, 1988. The section ends with IWGIA's Annual Report for 1988.



In July, IWGIA held a 20th Anniversary exhibition at the Roskilde Festival Denmark. The theme was "Aborigines" - 200 years of colonisation in Australia (photo: Claus Oreskov).

On January 26th, IWGIA picketed a celebration of 200 years at the Australian Embassy in Copenhagen (photo: Anna Maria Lazarini).

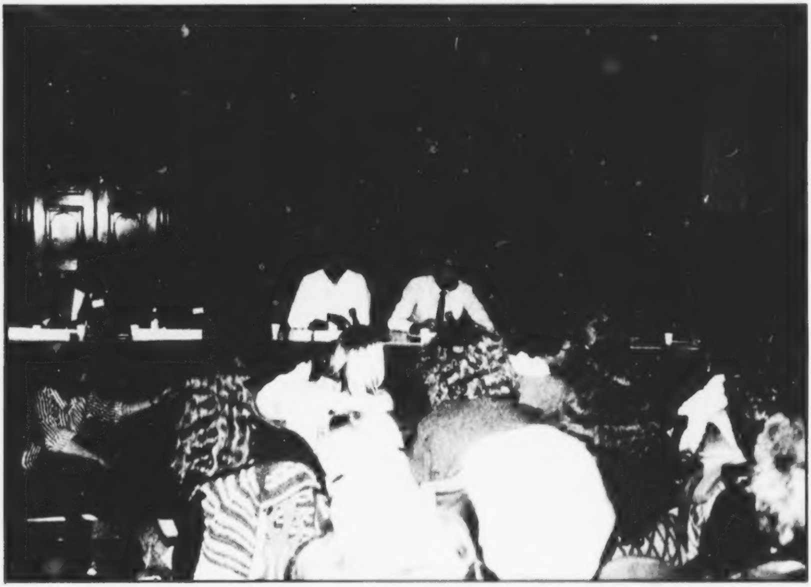
The second section of the Yearbook is a global view of the main events in the indigenous world during 1988. Although it is obviously impossible to cover everything, the survey tries to present a comprehensive panorama with facts, texts, maps and population figures. These figures are rough estimates as the population statistics of indigenous peoples change according to their self-definition. IWGIA has used primarily indigenous peoples themselves to provide statistics but where this has been impossible we have used estimates based on standard texts about indigenous peoples (cf. Burger, 1987, Report from the Frontier, Zed Books). For this reason the statistics used in this Yearbook should not be considered definitive but merely orientational.

The international section looks at developments in the International Labour Organisation's revision of Convention 107 and the formation of the Declaration of Indigenous Rights at the United Nations Working Group on Indigenous Populations. The section also includes three statements by indigenous participants at the ILO Meeting and two interviews with indigenous representatives from Canada on the UN process and Treaties as a whole.

The focus section of the Yearbook draws attention to several areas and issues. Paraguay and Brazil are two countries in South America which IWGIA visited in 1988; the articles in the section draw attention to legal and territorial questions and the role of anthropology. The article on the World Bank looks at the reforms within the bank and how these have not been as effective as was first hoped. The article on the San of Southern Africa not only expresses IWGIA's increasing involvement with African affairs, but also compares and contrasts different development strategies in the Kalahari.

The Yearbook ends with an index of all the articles IWGIA has published over the last 20 years. An index of this material has been needed for a long time and we hope that it will provide an easy reference to the wide range of articles available from IWGIA and facilitate the study of specific issues and regions.

It is a sobering thought that in 1988, 20 years after IWGIA's founding, atrocities against indigenous peoples are still taking place throughout the world on such a massive scale. Looking broadly at events during 1988, we have to conclude that it has been a terrible year. Mass killings continue; threats, land alienation and cultural destruction are still aspects of the everyday lives of millions of indigenous peoples.



Throughout 1988, IWGIA has been campaigning in favour of the Inuit hunters and trappers of the Arctic. At this meeting in the Danish Parliament, organised by IWGIA, more than 350 people heard statements from the Greenlandic Home Rule, indigenous non-governmental and environmental organisations (photo: Karsten Barsoe).

In spite of the work of IWGIA and other non-government organisations, and in spite of the development of indigenous self-organisation, indigenous peoples suffer as much as ever. There are several reasons for this.

As indigenous peoples have become stronger and more vocal, so have the forces opposing them. Multinational companies seek resources in unexploited areas which are primarily indigenous lands. Governments, desperate to pay off debt and reduce poverty, erroneously see the resources of indigenous peoples as the last remaining possibility to alleviate their problems. Meanwhile, entrepreneurs, missionaries and colonists see in indigenous areas pickings for their respective interests.

At the same time, since the foundation of IWGIA 20 years ago, reports from indigenous areas have become more accurate and more frequent than ever. Information comes into the IWGIA office daily from a broadly-spread network, which informs us of events which previously would have gone undocumented. For this reason we can also see the increase in human rights atrocities as a mark of the improvement of the documentation of these abuses.

Nevertheless, without the mobilisation of the indigenous movement, it is unlikely that so many people would have survived to continue the struggle. Indeed, not only are indigenous peoples surviving but they are increasing in many parts of the world. As they become confident enough to assert their identity and claim their heritage, the numbers of indigenous peoples have soared. Argentina is a prime case in point, where official statistics have added 150,000 indigenous people in the last two years.

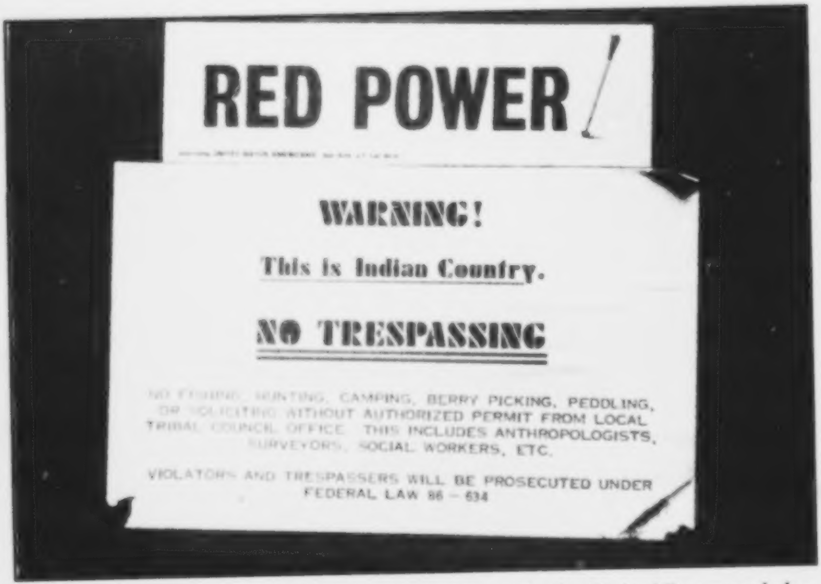
The oppression which indigenous peoples themselves have suffered over the last 20 years has, in itself, raised their consciousness for asserting their identity and demanding freedom from interference. This has changed the role of support organisations into one which provides services and information as well as raising public awareness.

Over 20 years many things have changed in the anthropological world as well. Anthropologists who claim that indigenous peoples will eventually be destroyed because of the ''unavoidable process of acculturation'' and who question the relevance of ethnic factors are more marginal than ever before. The state-centric approach to other peoples is losing ground. This approach has not disappeared but it has been swamped in a massive assertion by indigenous peoples of the principles of anti-paternalism and self-determination. Even governments and international bodies are beginning to grasp what indigenous peoples are talking about.

Since 1968 many of the original aims of IWGIA have been fulfilled – the UN now has a body which listens directly to indigenous peoples, IWGIA is now receiving Consultative Status with ECOSOC, the publications continue, we have a Yearbook and a Resource Centre. While these developments in themselves will not solve the problems facing indigenous peoples, they can provide the means and services which will support the continuation of the indigenous movement.

Twenty years after IWGIA's foundation, indigenous self-organisation is flourishing and indigenous self-development and self-determination are international issues. Indigenous peoples now have their own organisations and receive support to pursue their demands for the recognition of their rights. This in itself is the greatest cause of celebration 20 years on.

IWGIA
– 20 Years


RED POWER
WARNING!
This is Indian Country.
NO TRESPASSING
NO FISHING, HUNTING, CAMPING, BERRY PICKING, PEDDLING, OR SOLICITING WITHOUT AUTHORIZED PERMIT FROM LOCAL TRIBAL COUNCIL OFFICE. THIS INCLUDES ANTHROPOLOGISTS, SURVEYORS, SOCIAL WORKERS, ETC.
VIOLATORS AND TRESPASSERS WILL BE PROSECUTED UNDER FEDERAL LAW 86 – 634

The 1960s saw an upsurge in Indian consciousness in the United States and elsewhere (photo: Lars Hejl – Kluven Tunga).

Introduction

1968 has been described as "the knife blade that separated the past from the future" and "the year that shaped a generation". Although hyperbolic, these phrases show that for many non-indigenous peoples, 1968 symbolised a growth in awareness and politicisation. While the Vietnam war raged, students rose in Chicago, Paris, Mexico City, London and Copenhagen; racial protest and violence spread across the USA.

For indigenous peoples, 1968 was less a watershed than a moment in the blossoming of an indigenous movement which had been rising throughout the decade. Although indigenous resistance has been in existence as long as colonisation, and indigenous organisations have had a long history, the florescence of indigenous organisations in the 1960s was an international phenomenon. Starting in North America, Scandinavia and Australia, in subsequent years it spread throughout the world, drawing in already existing struggles and raising awareness among the oppressed.

The indigenous movement of the 1960s was more activist and prolific than earlier. Its members emphasised identity, self-determination, sovereignty and territorial rights. Encouraged by the establishment of national organisations and the radical directions which were emerging in society as a whole, indigenous peoples asserted themselves more powerfully than ever before.

At the same time, in the universities, several factors were affecting the development of anthropology as a discipline. As a whole, academic life in universities was facing a challenge from student protest. Politicisation and awareness of the "relevance" of anthropology were discussed and debated in detail as never before. In 1968 Current Anthropology presented a large section on anthropology, responsibility and relevance.

In Scandinavia, questions of identity and ethnicity were at the forefront of anthropological interest. Ethnicity, the concepts of boundaries and relations between "ethnic groups" and "states", all pointed to issues concerning indigenous peoples. It is interesting to note that nearly all of the contributors to the original symposium behind Frederick Barth's book, *Ethnic Groups and Boundaries*, which was published in 1970, were founding supporters of IWGIA.

The third factor in anthropology at the time was the growth of fieldwork in South America. Whereas Africa, Asia and North America were the major orientations of anthropologists prior to the 1960s, a new interest in this area flourished during the decade. The future of the indigenous peoples in South America was particularly threatened then and anthropologists began to return with accounts of horrendous atrocities.

At the International Congress of Americanists, in Stuttgart, August, 1968, these three lines came together. Scandinavian anthropologists, South American ethnographers and radical academics converged. A group of anthropologists initiated a resolution condemning atrocities against indigenous peoples and recommended the establishment of an organisation to monitor violations of the rights of indigenous peoples and support the struggle for their rights.

The signatories of that resolution, which was further adapted for the Congress of Anthropological and Ethnological Sciences in Tokyo, in September, 1968, became the inspiration for the foundation of an International Work Group for Indigenous Affairs. IWGIA was born.

This part of the yearbook is a montage of material, much of it in English for the first time, which traces the history of IWGIA and indigenous affairs over the last 20 years. It is divided into five parts:

1. The founding of IWGIA and the original aims and objectives: 1969-1971.
2. A seminal article by Helge Kleivan from 1969. He worked and directed IWGIA for 15 years from its founding. The article describes the events leading up to its establishment and discusses the responsibility of anthropologists.
3. The years between 1971 and 1980 when IWGIA increased its publication work and supported the establishment of indigenous organisations. This part includes an article by Helge Kleivan on the concept of the "Fourth World" taken from an interview in 1979.
4. The years between 1981 and 1988 when the indigenous movement grew further and IWGIA became a service organisation for indigenous peoples. This part ends with an extensive quotation from the introductory presentation at the 1988 Congress of Americanists given by IWGIA's Vice-Chairman, Georg Henriksen who was also a founding member of the organisation.
5. IWGIA's Annual Report for 1988 describes in detail the current work areas of the organisation and the interrelationship between human rights, research and development.

1. IWGIA – The First Years: 1968 – 1971

Newsletter No. 1. August 1968, Copenhagen

The International Work Group of Indigenous Affairs was established at the 38th International Congress of Americanists. The work group intends to use knowledge collected by social scientists to seek solutions to the problems arising from forced acculturation and integration in various countries throughout the world.

The work group is a non-political and non-religious organization whose members do not represent any nation or national institutions. It will try to include representatives of other disciplines having useful knowledge and expertise and wanting to take an active part. It will also co-operate with other institutions working on related problems.

The work group intends to establish itself under the UN in co-operation with the Office of Legal Affairs and the Commission of Human Rights.

It will contact national governments informing them about the status of indigenous groups, offering co-operation in working toward the solution of the problems and in critical cases offering to send specialized work groups into the field.

The next steps to be taken by the work group will be to seek support from participants at the International Congress of Anthropological and Ethnological Sciences in Tokyo, and approach the UN.

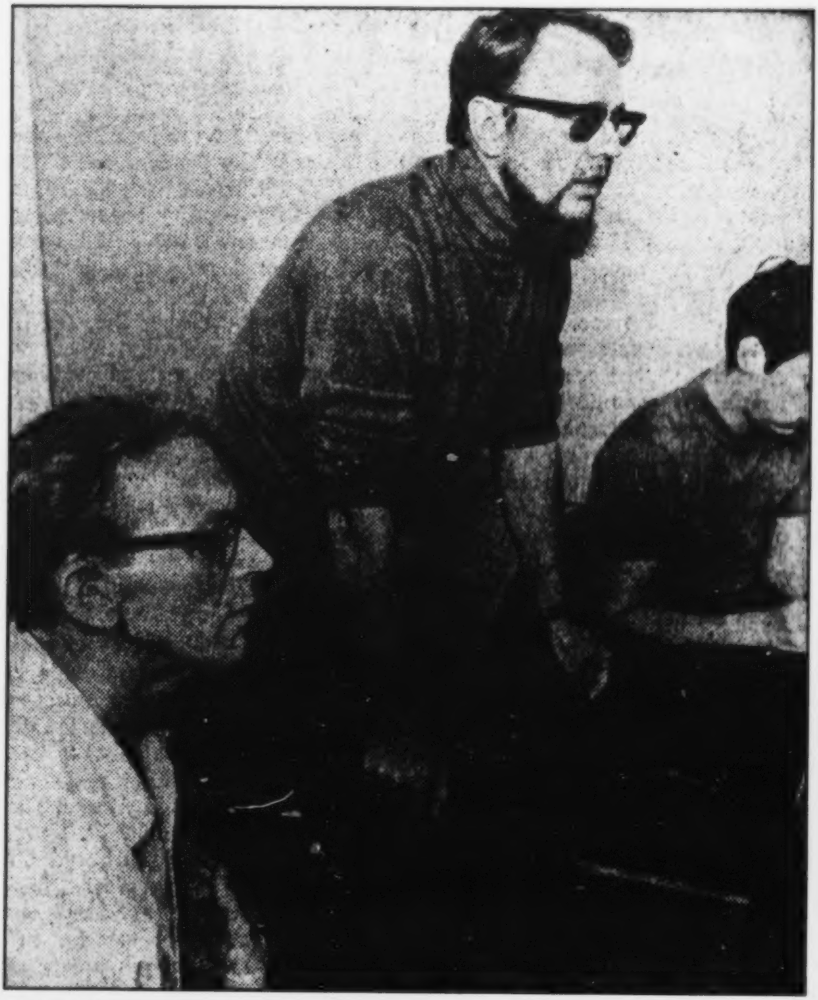
At the VIIIth International Congress of Anthropological and Ethnological Sciences, in September, 1968, the following resolution was unanimously approved and published.

IWGIA Newsletter No. 2, October, 1968

In view of substantial information received that force and other forms of questionable pressure have recently been, and continue to be used against indigenous peoples in many parts of the world, and furthermore strongly believing that current programs for the acculturation and assimilation of indigenous societies are often harmful, immediately or ultimately, to their physical and mental health, and to their social and economic well-being:

1. we protest and repudiate genocide, and the use of force as an instrument of cultural change, in programs of social, economic and political development, and in the separation of indigenous peoples from their land;

2. we request the governments concerned to institute effective protection under the law for indigenous peoples, and to discipline government officials and others guilty of actions that contravene the International Declaration of Human Rights;



Helge Kleivan and Lars Persson, two of the founders of IWGIA (photo from Dagbladet, 12 September, 1969).

3. we urge governments, anthropologists, and others to re-examine current policies in order to provide ethically just and scientifically enlightened programs of acculturation which allow the peoples concerned a free and informed basis for choice.

We support in principle the International Work Group for Indigenous Aff airs now based in Sweden, and other groups working in the same direction.

An ad hoc secretariat of IWGIA had been formed in Stuttgart. Lars Persson, the Swedish ethnographer and writer, was the first Chairman and Helge Kleivan, the Norwegian anthropologist, was the Secretary General. All supporters were asked to supply manuscripts and documentary material on genocide, forced integration or other use of force against indigenous peoples.

In 1969, the Chairman of IWGIA, Lars Persson wrote an article in the Danish Newspaper, *Kristeligt Dagbladet* on the reactions to the work of IWGIA over its first year.

Missionaries under Attack

By Lars Persson

Since IWGIA began its work and focussed opinion and the mass media on the situation of ethnic and cultural minorities, primarily in South America, there have been many reactions from different quarters. IWGIA's objective from the beginning has been to work out constructive alternatives to the politics of integration that has been destructive for hundreds of years. Nevertheless, several reactions have been negative and there have been objections to our documentary material on the present situation of indigenous peoples. Our work has been seen as a criticism against the "internal affairs" of many lands and organisations.

Among the specific countries, Brazil has reacted the most strongly. Its reaction has been so confused and full of contradictions – even to the extent of falsifying letters – that it is impossible to understand what it is doing. Clearly, the Brazilian government has not understood the character of the problem at all. In complete contrast to this are Colombia and Guyana, whose positive interest can, we hope, provide us with a work basis for the coming year.

Over the past year, anthropologists in many countries have suggested to the UN Human Rights Commission and later also to the Secretary General, U Thant, that a permanent advisory organisation of social scientists with expertise in ethnic and cultural minorities be established. The only answer forthcoming showed clearly that there was not the least interest in this problem in the UN or in the Human Rights Commission. This lack of commitment is incomprehensible considering the UN's own definition of "comprehensive genocide".

By genocide we include not only physical destruction but also ethnocidal activity which destroys a peoples' long-term survival – a "slow poisoning".

The Church and missions' position has been ambivalent here. From many quarters, such as the World Council of Churches in Geneva, the Episcopal Congress in Bogota, Law Organisations in Sweden, Canada and the USA, along with some Catholic priests in South America, involvement with ethnocide has been clearly documented as being negative.

The possibility has been discussed for improving the situation through, for example, anthropological education for missionaries, and in certain cases, the question of stopping missionary work among threatened people has been raised. Militant and fanatical fighters for the missions are in the meantime in the majority. In recent years, for example, experts from the Summer Institute of Linguistics, within the North American Protestant Mission, have worked intensively and invested $60,000 in order to control anthropological field workers and work themselves unimpeded.

We can no longer believe that SIL is unaware of the consequences of its work. To the extent that the missions continue their work, we can accuse them of genocide and we should instigate an inquiry into their methods, goals, financial situation and much more.

The anthropologists' position is not one-sided either. Those who work, or live, in South America in many cases have been forced, or felt themselves to be forced, to keep quiet for financial or professional reasons. In Europe and North America support for IWGIA has grown.

What is needed, first and foremost, is a international social scientific symposium to clear up the whole problem. Such a gathering and debate ought to be organised in the coming year. Insurmountable economic problems are hindering progress at the moment, in spite of the fact that "new" opportunities for anthropology ought to be of great interest when we think of the whole future of science.

Recognising fundamental human rights, the right to life and land and the right to choose life style and personal ways of development, instead of being forced into a future of social insecurity, obviously disturbs some people, in the light of the great opposition from the religious, economic and political groups that represent our supposedly "highly developed civilisation based on the Christian ethic".

During 1969 Lars Persson, Helge Kleivan and the supporters of IWGIA convinced the ministries of Foreign Affairs of the five Nordic countries to send their representatives to a series of joint meetings in Copenhagen where they explained

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the problems facing indigenous people and where Lars Persson urged the governments to initiate action within the United Nations.

In his obituary for Lars Persson, who died aged 46 in a road accident in South Africa in 1981, Helge Kleivan wrote:

> It was during these meetings that we finally realized that there was little hope of any significant governmental effort in aid of the oppressed. To the present day, I am convinced that our conclusions drawn from the Copenhagen meetings have been fully justified: all governments – including the most democratic ones – would rather produce words than actions, in order to minimize their political costs, as long as there is no strong public opinion that can put sufficient pressure on them. It was a bitter but important lesson to learn. For that reason we began to concentrate more and more on the production and dissemination of reliable documentation focussing on the current state of affairs among indigenous people. IWGIA Newsletter No.27

It is interesting to note that the first document which IWGIA published, in 1971, was the *Declaration of Barbados*, which was made at a symposium similar in style and content to that suggested by Lars Persson in his article. The final two sections of the Declaration say very much about the orientation of the anthropologists working with IWGIA then and now:

Declaration of Barbados

a) The Responsibility of Anthropology

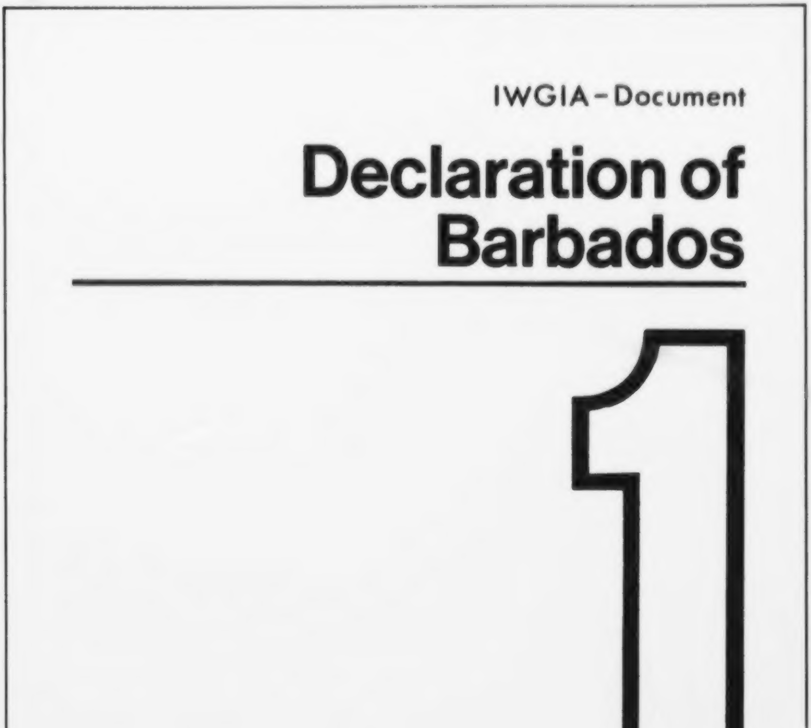
Anthropology took form within and became an instrument of colonial domination, openly or surreptitiously; it has often rationalised and justified in scientific language the domination of some people by others. The discipline has continued to supply information and methods of action useful for maintaining, reaffirming and disguising social relations of a colonial nature. Latin America has been and is no exception, and with growing frequency we note nefarious Indian action programmes and the dissemination of stereotypes and myths distorting and masking the Indian situation – all pretending to have their basis in alleged scientific anthropological research.

A false awareness of this situation has led many anthropologists to adopt equivocal positions. These might be classed in the following types:

1. a **scientism** which negates any relationship between academic research and the future of those peoples who form the object of such investigation, thus eschewing political responsibility which the relation contains and implies;

2. an **hypocrisy** manifest in the rhetorical protestation based on first principles which skillfully avoids any commitment in a concrete situation;

3. an **opportunism** that although it may recognize the present painful situation of the Indian at the same time reflects any possibility of transforming action



IWGIA – Document

Declaration of Barbados

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IWGIA Document No. 1

by proposing the need "to do something" within the established order. This latter position, of course only reaffirms and continues the system.

The anthropology now required in Latin America is not that which relates to Indians as objects of study, but rather that which perceives the colonial situation and commits itself to the struggle for liberation. In this context we see anthropology providing on the one hand, the colonised peoples those data and interpretations both about themselves and their colonisers useful for their own fight for freedom, and on the other hand, a redefinition of the distorted image of Indian communities extant in the national society, thereby unmasking its colonial nature with its supportive ideology.

In order to realise the above objectives, anthropologists have an obligation to take advantage of all junctures within the present order to take action on behalf of the Indian communities. Anthropologists must denounce systematically by any and all means cases of genocide and those practices conducive to ethnocide. At the same time, it is imperative to generate new concepts and explanatory categories from the local and national social reality in order to overcome the subordinate situation of the anthropologist regarded as the mere "verifier" of alien theories.

b) The Indian as an Agent of his own Destiny

That Indians organise and lead their own liberation movement is essential, or it ceases to be liberating. When non-Indians pretend to represent Indians, even on occasion assuming the leadership of the latter's groups, a new colonial situation is established. This is yet another expropriation of the Indian population's inalienable right to determine their future.

Within this perspective, it is important to emphasise in all its historical significance, the growing ethnic consciousness observable at present among Indian societies throughout the continent. More peoples are assuming direct control over their defence against the ethnocidal and genocidal policies of the national society. In this conflict, by no means novel, we can perceive the beginnings of a Pan-Latin-American movement and some cases too, of explicit solidarity with still other oppressed social groups.

We wish to reaffirm here the right of Indian populations to experiment with and adopt their own self-governing development and defence programmes. These policies should not be forced to correspond with national economic and socioeconomic exigencies of the moment. Rather, the transformation of national society is not possible if there remain groups, such as Indians, who do not feel free to command their own destiny. Then, too, the maintenance of Indian society's cultural and social integrity, regardless of its relative numeral insignificance, offers alternative approaches to the traditional well-trodden paths of the national society.

Helge Kleivan (photo: Espen Wæhle).

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2. Helge Kleivan on the Establishment of IWGIA

The next part is an English translation of an editorial which Helge Kleivan wrote in the Danish newspaper *Politiken* on 21st January, 1969. In the text he discusses the issues and reasons behind founding IWGIA – issues which are still, unfortunately, only too relevant.

Genocide and Social Science

By Helge Kleivan

The International Human Rights year of 1968 is over. Through newspapers, radio and television we were reminded of the 20th anniversary of the Declaration of Human Rights. The 23 states forming the Organisation of American States have also wished to mark this event. Their contribution is a report of about 35,000 words on the efforts carried out so far to ensure Human Rights in their part of the world. This document is interesting for at least two reasons. First and foremost because, in spite of its dimensions, it does not mention at all OAS' work to stop the killings and the systematic persecutions and theft of land that South American Indians are exposed to in several of the member nations.

Of the approximately 35,000 words, only 191 are dedicated to the Indians. The report claims that their particular problems are being dealt with, and that the member nations have committed themselves to protect and help the Indians. In a separate section, the report mentions those countries which have been accused of violating Human Rights in recent years. Eight different states are named. And this is the other interesting aspect of the report: it does not mention any of the countries from which numerous social scientists, anthropologists in particular, have lately reported violations against Indians of such a character and of such dimensions that in some places they could be termed genocide. It seems unlikely that the special branch of OAS, the Inter-American Commission for Human Rights, should not be informed about these crimes against fellow human beings.

We will not speculate too much on OAS' reasons for refraining from speaking about conditions which have become known throughout the world in recent years. One will have to assume that the political aim of the organisation (among others "to encourage solidarity and strengthen the co-operation between the member countries") ranges higher than all their well-intentioned declarations of Human Rights. However the most depressing aspect is the fact that the national governments as well as OAS can make excuses for their closed eyes on a formalistic basis, partly because the Indians in many countries are entirely without civil rights. This means, in a manner of speaking, that they do

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not exist, neither statistically nor legally. And partly because it can be maintained that it is not the governments of the nations concerned which are committing the crimes against the Indians! Thus violations against Indians can go unpunished in a territory they have inhabited for longer than the remaining population. They are liable to be driven away from the land they have cultivated, they can even be shot by fellow countrymen with rights of citizens. And no state authority has any duty to intervene. These are not just hypothetical possibilities. They are verified elements of everyday life for fellow human beings in 1969. But a non-revised account of fear and death in a South American jungle becomes noncommitting and distant, almost anecdotal, when read about over morning coffee.

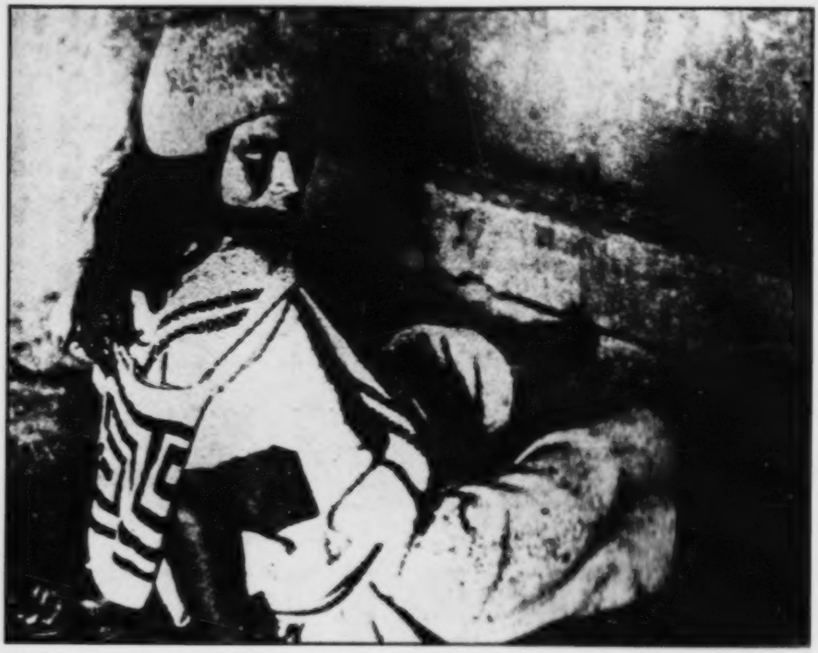
As for the people concerned, you have to conclude that they are without representation, nationally as well as internationally. This also applies to other ethnic groups, millions of people all over the world.

These problems have contributed to stimulate a discussion about the aims, the social function and the responsibility of science, which engages social scientists in many countries today. These questions have led to a highly relevant self-examination among scientists in the field of science which we, in this country, call ethnography, and which has mainly been concerned with the study of non-European societies.

Before we turn to the attitude and responsibility of the scientists, let us take a closer look at the documentation of current violations against Indians. During the 38th International Congress of Americanists in Stuttgart August 1968, the present situation of the Indians was treated at separate meetings where a number of scientists, just returned from extended field trips, reported on violations and crimes against Indian populations in Brazil, Colombia, Peru and Venezuela. In the following I shall pass on information presented by the Swedish anthropologist Lars Persson. He worked for more than three years among Indians in Colombia and in the border regions of Venezuela.

In 1966, near the Sinu river in Colombia, he saw several Embera Indians who had been killed and then nailed to the walls of their huts, with the intention of scaring their compatriots off the area. In early 1968 thirty Cuiva Indians were pushed into a narrow valley and shot. Three of the perpetrators were punished, but the Colombian authorities have done nothing to prevent further persecutions of Indians. In these regions, apart from the actual colonialists, there also exist a number of people, whites as well as mestizos, who make a living out of chasing Indians off the land they have cultivated and then selling it to the proprietors.

In less than ten years ruthless colonialists have forced the Yoko Indians (living near the border of Venezuela) into a tiny piece of the highlands, covering only about a couple of square kilometers and scarcely cultivable. The population



Arhuaco Indian put in the stocks by missionaries (Colombia). Photographs such as this, published in VG October 1969, horrified people in Scandinavia and drew their attention to the plight of indigenous peoples in other parts of the world.

has been reduced in these ten years from approximately 1500 to 400. The rest of them have been killed, have died from diseases or have been driven off their land and, out of necessity, been forced to earn their living as farm workers for the proprietors or the Catholic mission station.

With the Cuivas, who based their living on farming and hunting like the Yokos, the brutality of the colonialists and the land speculators was particularly efficient: first they set fire to the breeding grounds, then they shot the game in a large area. Indians who tried to oppose this systematic depredation were shot. After their economic base had been destroyed, the Indians were offered jobs as workers on the estates.

From Brazil, Peru, Colombia and Venezuela examples were given of coercive measures that had been taken in order to change the Indians' way of living. The results of these changes are disastrous, according to the reports, especially when it comes to the state of health.

It was reported about the mission in La Pedrera by the Caqueta river in Colombia (near the border of Brazil) that they kidnap young children from the Maku Indians. The children are sent to mission schools when they are still too young to have any knowledge of their own culture. This kind of "integration into surrounding society" takes place under strict isolation in the Catholic mission schools which means that the children's contact with parents and home environment is cut off for good.

At one of the meetings, a Peruvian scientist talked about how a mining company some time ago borrowed aeroplanes from the Peruvian Government – as well as napalm bombs. This equipment was used to force the Indian population off an area where a new mining project was in progress. A prominent diplomat told me that it is common knowledge that this method is also used in other South American countries for getting rid of Indians in areas which are to be opened up for industrialisation. One cannot help drawing a parallel with the use of DDT against tiresome insects. It seems to me, I am sorry to say, that this analogy holds a precise characterisation of the relations many Indian populations have with the expanding surrounding societies.

These problems are often named "coercive integration", which is a simplification. At the 5th Inter-American Congress for Indigenous Affairs in Quito, Ecuador, in 1964, the Danish anthropologist, Niels Fock, presented a report on the problems preventing integration of the Matacos from Chaco with Argentine society. While the colonists in the area have full rights of citizens, including legal protection, the Matacos are without civil rights – they are, in fact, treated as a subordinate minority in every respect. Fock mentions, among other things, how the colonists' cattle can cause considerable harm to the crops of the Indians without the latter being able to go to court and claim damages. In his report he stresses that several Indians have been shot and killed without the authorities intervening. The situation of the Matacos cannot be described as coercive integration. On the contrary, it shows how they have been denied the fulfillment of their proclaimed wish for education and economic growth within the system of the surrounding Argentine society.

Boths at the Congress in Stuttgart I mentioned earlier and at The VIIIth International Anthropologist Congress in Tokyo in September 1968, resolutions were passed protesting against torture, killings and persecutions of Indians and other ethnic groups. Both resolutions express a wish to participate in the planning of development programmes securing the peoples concerned genuine freedom of choice.

In Stuttgart an International Work Group was also established with the Swedish anthropologist Lars Persson as chairman. The aim of the group is, among other things, to co-operate with the UN Commission for Human Rights and other international agencies. An important aspect of its work will be to contribute to forming international general opinion. In the long term they also hope to organise groups of experts to examine extreme situations where quick intervention is called for. This requires collaboration with the governments of the respective countries - which will definitely be a difficult task. The Tokyo Congress adopted these efforts and agreed to form a committee to prepare an international conference about genocide and other violations against indigenous populations, and to collect documentation on such matters. Chairmen of this committee are Danish anthropologist, Professor, Johannes Nicolaisen and his American colleague, Professor W. Sturtevant.

A broad spectrum of problems, ranging from the above mentioned type of obvious criminal offences to the gentler kind of pressure often used by political authorities as part of their efforts to modernise and integrate, falls within the sphere of the Work Group. It must be stressed that there is no wish to prevent any group of people from participating in modern day life. The Work Group is just insisting that human beings must have the opportunity to choose between alternative futures. For alternatives to be genuine and make sense to the people affected, they must be presented on the basis of adequate information.

It must be added that the anthropologists from many nations who took the initiative to form the Work Group for Indigenous Affairs, were quite aware of the enormous range of their objectives. During negotiations it was thus pointed out that the violations against South American Indians have an obvious economic component. Considerable economic interests are involved in the robbing of land to which many Indian groups are exposed. The existing documentation makes it absolutely clear that some investors have an interest in a plentiful supply of cheap labour. This is particularly visible in the agricultural sector, but in some places also in industry. One can only hope that world opinion will force the respective countries to act against the gross physical violations. This alone would be substantial progress. But this alone will not stop the basic rights of the Indians from being swept aside by socio-economic conditions.

The anthropologists' protest resolutions and organising initiatives at the congresses in Germany and Japan last year are remarkable for several reasons. I find it particularly interesting to watch the attitude of the anthropologist when faced with a challenge of reality such as the one we are dealing with here. Originally this discipline was distinctly academic, for example in the sense that it was less motivated by social conscience than many other social sciences. Anthropology grew out of an intellectual curiosity resembling that of the natural historian. The question of using research results for anything other than exercises among colleagues was a foreign idea only a few decades ago.

During recent years we have seen a growing recognition of responsibility for the people whom we study. Many colleagues today are working with development questions, especially aspects regarding economic growth. Third World matters are becoming an important theme in the study of anthropology in many countries.

One often comes across the idea that social scientists should refrain from expressing opinions which can be characterised as political. It is high time we recognise this dilemma as part of the old doctrines of academic conduct inherent in contemporary social science. Any concern with politically sensitive issues can be branded as "political", due among other reasons, to the fact that our research draws its data from human reality, which is at the same time the very object of activities and decisions of politicians.

But what about "unbiased" or "value-free" social science? The only "value-free" research I know of draws upon the tacit acceptance of the most political axioms conceivable – namely the very premises of the established social order!

The social scientist suffers from fatal blindness if he believes in the old academic rules about our scientific activities being less impartial when our intellectual curiosity is directed towards contemporary politically and economically hot topics.

Confronted with a world where genocide, exploitation and deprivation of control are constant elements of everyday life for fellow human beings, social science must become the indefatigable eye watching over human inviolability. Only then will the social scientist be more than just a predator consuming data. Only then will the concept of responsibility imply more than a carnation worn in the buttonhole at academic ceremonies.

3. IWGIA and Indigenous Organisation: 1971 - 1981

In 1971 IWGIA was reorganised. From April that year IWGIA established a permanent secretariat in Copenhagen. Over the next few years, a group of workers in the Secretariat in IWGIA helped Helge Kleivan establish the Document Series which has been the backbone of IWGIA's work ever since. In 1988, IWGIA published its 62nd document.

It was during the early 1970s that IWGIA began to receive modest support from the Norwegian Foreign Ministry for its publications, which slowly spread to the other human rights sections of the Scandinavian ministries.

IWGIA worked closely with other organisations. Particularly important was IWGIA's work in Brazil. This developed through co-operation with an organisation in Switzerland called Amazind. IWGIA co-published several documents with Amazind and worked together on several projects. Eventually, Amazind became a special department of IWGIA and then merged. René Fuerst, founder of Amazind, is now IWGIA's Chairman.

Policy Board Meeting, Copenhagen, June 1975, planning for the World Council of Indigenous Peoples. Helge Kleivan at the back (photo: Jens Brøsted).

Parallel with the publications, in the early 1970s IWGIA began to work more directly with indigenous organisations, and support their self-development. With support for land titling in Colombia and backing the indigenous mobilisation project in Paraguay, the Marandu Project, self-determination and indigenous self-organisation became a major part of IWGIA's work.

The florescence of indigenous organisations in North America, the North and Australia began to spread into Central and South America in the 1970s. Concurrently, the emphasis of IWGIA's work turned towards supporting indigenous peoples in forming their own organisations. Rather than anthropologists mediating between governments and indigenous peoples, IWGIA wanted to enable indigenous peoples do this for themselves.

Indigenous organisation in the 1970s developed on two fronts. In Central and South America regional organisations developed such as among the Shuar in Ecuador, CRIC in Cauca, Colombia and Alpromisu in Nicaragua. At the same time there were several initiatives on the international front to bring together indigenous peoples into world bodies. The International Indian Treaty Council was an initiative from the United States and from Canada, under the influence of George Manuel, there grew the idea of the World Council of Indigenous Peoples.

Helge Kleivan was deeply committed to the establishment of an international indigenous organisation. In 1973 he helped organise the Arctic Peoples' Conference in Copenhagen and in 1975 he played an important advisory role in the establishment of the World Council of Indigenous Peoples in Canada. In 1980 he worked hard with the indigenous peoples of South America in the setting up of the Consejo Indio de Sud America (CISA). IWGIA Documents 28, 29 and 30 provide three case studies on the formation of indigenous organisations at that period from lowland Ecuador, highland Bolivia and the formation of the WCIP.

Along with this work, IWGIA began to develop and use the concept "Fourth World". IWGIA's emphasis was shifting from the direct attempt at influencing governments in 1969, to trying to provide reliable documentation and supporting indigenous self-organisation. This shift can be seen in the following text by Helge Kleivan which was been translated from an interview he gave with Claus Christensen and Jorgen Brochner Jorgensen in 1979. It was published in the Danish journal *Udvikling* as an interview:

Photographs taken on the Aché Reservation in 1971 and 1972 by Mark Münzel caused an international scandal when published by IWGIA in 1973.

Jungle of Problems for the Fourth World.

By Helge Kleivan

The Fourth World is the popular term for the set of problems affecting suppressed, indigenous peoples in many countries – tribal people or aborigines – who have no political power today. Wide-ranging decisions concerning their existence are made without consulting them – land and resource decisions regarding what these people have every conceivable right to call their home countries. But these are areas controlled by national states, a quite recent concept in the history of mankind.

The Fourth World comprises 200 to 250 million people from all over the world – the Saami of Scandinavia, the Eskimoes of Greenland, Canada, Alaska and Siberia. If we move further south we find the North American Indians – we all remember from our childhood reading stories of the horrible suppression and of the genocide that took place when the Europeans conquered the North American continent. There are also indigenous peoples in Central and South America, in certain parts of Africa and in vast areas of South East Asia. The Fourth World also includes the Australian continent and large parts of the Pacific area.

The national state is the political structure facing these peoples and affecting their conditions and circumstances, not necessarily negatively, but very often in a negative direction. Development projects carried out by poor countries to get their share of the economic growth will often harm these people. But it must be stressed that the suppression and infringements are not necessarily the result of an organised or intended policy of extermination or oppression on the part of the political authorities of the State community. They are often caused by individuals or single groups who enter these areas to extract resources, and who are not sufficiently controlled by the authorities because these are not aware of the enormous responsibility they have in this matter.

The oppression carries many faces, and it is not unreasonable to claim that we all contribute, for instance by our consumer pattern. At this point in history we are operating with economic systems which would collapse without constant growth. The industrialised nations have to go farther and farther afield to extract the raw materials needed for production, and you cannot name one part of the world where the occurrence of raw materials does not clash with the presence of indigenous peoples.

This is one kind of oppression, another variant is direct criminal violation against people in these situations. And in areas which have been isolated so far, mere contact with the surrounding world is a great threat. The situation which used to prevail in Greenland and other Arctic areas is now repeating itself in the last lowland areas of Brazil being opened in these years – a lot of Indians are dying from diseases we know only as commonplace children's infections, when roads are built creating contact between the original inhabitants and representatives from the large white society.

There is a jungle of problems facing the Fourth World. One of the biggest is the land rights problem for those groups who still have their territories. It must be made possible to provide these people with the right to have their homelands protected, as places where they can carry on with their own way of living, but this requires that outsiders do not enter the areas making demands, as if the peoples did not exist. They are often accused of using the land and the soil in an uneconomical way. The kind of rationality reflected in their mode of living is not respected by societies regarding the philosophy of growth as the only acceptable one.

The term integration is used in many different ways. I do not know of any example of integration that has led to indigenous groups gaining real control with development. Quite recently the government of Brazil brought up the idea of "liberating" the Indians by passing legislation that will put them on equal footing with other citizens. Such equality must surely be a blessing! But in reality this is an extremely tough sort of integration – to these very exposed groups it is not a liberation to acquire equal rights because, with their lack of education and possibilities, they will end up at the bottom of society and become the poorest of a poor proletariat.

It would be quite natural, since we are in Denmark, to mention the Home Rule of Greenland – although it will take a lot of explanation to place it in a reasonable connection with the problems of The Fourth World on the whole. Of course I am among those who consider the Home Rule an obvious improvement, but it does not provide the Greenlanders any guaranteed control over the most fundamental questions of future development. In most cases control will lie where the money is.

The alternative to integration is to start seeing things in order and perspective. A strong public opinion must be created nationally as well as internationally in order to get a still larger number of democratic governments to take responsibility for solving these problems. And through the UN and other organisations and initiatives these people must be granted at least a minimal guarantee of rights to culture, land and self-determination regarding future development. This means that the national state, the majority society, must impose very heavy restrictions on itself in its use of resources in these peoples' areas.

Difficult problems face ethnic minorities wherever they live. If, for example, you compare the Saami in the democratic welfare states with the Indians of the Amazon in Brazil, the Saami are obviously in a very lucky position – they live in a part of the world where it is absolutely inconceivable that they should be killed. But it turns out that fundamentally they are facing the same kind of problems: among others, the fact that we in the welfare democracies have come to believe that democracy must necessarily imply majority decisions. When, for example, the Saami, in connection with the extensions of hydraulic power in Scandinavia, have complained about the destructive effects on their subsistence and their future, the idea of it being a violation of human rights is immediately repudiated. A Norwegian politician said recently: "but surely this cannot be a violation of human rights. It is a majority decision".

Of course Norway and many other countries have various laws to adjust the relations between the minority and society at large, but on the political level the full consequence has not been taken. This would imply that top priority should be given to the Saami's ways of utilising the land of their native country because it is the foundation of their future.

In the face of this situation, indigenous peoples protest and revolt where it is possible, and quite naturally the protests and the revolts are starting now, for the pressure on them has risen enormously in the years since the Second World War. There are certain hopes for the future in the fact that they are now organising internationally. In 1975 they established the World Council of Indigenous Peoples. But the national states have not been willing to support them financially although they – and this also applies to Denmark – know very well what is going on. The danger is that this organisation will become an empty shell covering a lack – not a lack of ideas, not a lack of enthusiasm, but a lack of resources. It is actually a question of as little as a thousandth of a thousandth of the rich countries' development aid. It would be of colossal significance for these peoples, but not even such modest amounts are granted.

IWGIA's aim is to procure reliable information. The things printed in newspapers are a strange mixture of accurate information on cases and infringements, in Brazil for example, and of fantastic stories that have nothing whatsoever to do with reality. And if you want to create a world opinion in order to put pressure on the governments and make them act, this must be done on the basis of accurate information and thorough background knowledge of why these things are happening. The Centre of Documentation we started in Copenhagen was the first of its kind, and it is with pleasure we see that social scientists all over the world, engaged in minority conflicts and confrontation, are now almost competing to publish in our series of publications in English. But again – we suffer from a constant lack of funds.

I am probably more pessimistic about the future of indigenous peoples than many of my colleagues, because I think it will be very difficult to ease the economic systems' exploitation of the lands and livelihood of aborigines and tribal people. On the other hand, I feel obliged to believe that all the sensible ideas regarding a necessary reconstruction of our societies will also reach those high places where political decisions are made. This is where the matter will be settled.

It must also be added that the great intensity of the national and the international discussion on Human Rights will benefit – and to a certain extent is already benefiting – those aboriginal peoples and other groups we are talking about. It is getting more and more difficult to kill Indians or just to chase them off their lands. The more we are able to mount world opinion, the more certain we can be that even the most dictatorial governments will not be able to ignore the fact that now eyes all over the world are watching their areas and the way they treat fellow human beings.

4. IWGIA Serves an Expanding Indigenous Universe: 1981-1989

During the 1980s there was a further shift of emphasis in IWGIA's work. As indigenous organisations became established, they needed support in seeking funds, information and political and moral backing in their struggle for justice.

Gradually IWGIA's publications became geared towards indigenous peoples themselves. The turning point here was the production of Spanish documentation - the Boletins and later the Documentos, which were sent free to indigenous peoples in Central and South America. Over the decade indigenous recipients of IWGIA publications in English and Spanish soon outnumbered the subscribers and non-indigenous exchange network. IWGIA was supplying indigenous peoples with the information they wanted.

At the same time, indigenous organisations were growing and consolidating. For a period IWGIA worked with development projects for indigenous peoples but realised that a more efficient way of working would be to place the onus of supporting indigenous peoples on the development agencies themselves.

The only agency which rose to the challenge was the Norwegian Development Agency, NORAD, which from 1983 began to support indigenous projects directly in Central and South America. Projects which IWGIA received were sent directly to NORAD who dealt with them according to their own criteria.

In addition to the consolidation of indigenous organisations, another development took place in the 1980s which had considerable consequences for the indigenous movement. Peoples from the Pacific Islands and from Asia who had been struggling for their rights for generations saw new possibilities in the indigenous movement. West Papua, East Timor, the Chittagong Hill Tracts, Nagaland and Tibet, all became important cases for IWGIA.

In the 1980s, IWGIA documentation has dealt with all these questions. Publications have therefore shifted away from the emphasis on South America and encompassed issues as far afield as India, Asia and Africa. By 1986 it became possible for the first time in IWGIA's history to produce a Yearbook which provided a synopsis of indigenous affairs in all parts of the globe. It is possible to see the spread of the indigenous movement literally moving across the world from the 1960s to the present day. IWGIA's work in these new areas has taken place, not through the expansion of IWGIA in itself, but because of the expansion of the indigenous movement.

Another development in the 1980s has been the raising of indigenous questions in the United Nations. One of the first aims of IWGIA was to pursue the possibility of forming a committee of experts in the United Nations which would

Ainu representatives at the UNWGIP, 1988, (photo: Christian Erni).

look at indigenous affairs and listen to statements about the plight of indigenous peoples.

Thanks to the perseverance and determination of indigenous organisations and others, the Working Group on Indigenous Populations was set up under the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities in the United Nations in 1982. There, five experts listen to indigenous statements and are working to set up a Declaration on the Rights of Indigenous Peoples.

IWGIA has attended most of these meetings and provided copies of its documentation produced in Copenhagen. Nevertheless, IWGIA does not address the meeting because the purpose is to enable indigenous peoples themselves to put forward their case. Instead, as a part of an international NGO fund, IWGIA has brought many indigenous peoples to the meeting in Geneva who would otherwise never have been able to go.

In the early days of IWGIA, the founding members, Helge Kleivan and Lars Persson, tried to get the support of governments and the United Nations. They failed initially, but their vision was fulfilled with the establishment of the UN Working Group on Indigenous Populations. 20 years after its founding, IWGIA applied for Consultative Status with ECOSOC. The application has now passed through the Committee stage and awaits final ratification in May, 1989. With UN consultative status, one of the aims on which IWGIA was founded will have come to fruition.

The continuity and changes within IWGIA over the 20 years show the shifts of emphasis and the transformation of certain aims and objectives which were all present at its foundation. The continuity lies in the commitment to the indigenous cause, total condemnation of violations of human rights and support for indigenous right to self-determination over their lives, lands, and culture.

The changes which have taken place in IWGIA have paralleled changes in the indigenous movement and the world as a whole. Whereas in the early days of IWGIA there were few indigenous organisations and many of the indigenous peoples suffering in the world had no means to represent themselves, in the 1970s organisations sprang up throughout the world and these have been consolidated in the 1980s.

IWGIA has thus changed from a support organisation to a service organisation. Now IWGIA publications are sent to more indigenous peoples than non-indigenous, and we provide services in the form of campaigns and development consultation.

In July, 1988, IWGIA returned to the Congress of Americanists and organised a symposium. The 20th Anniversary meeting encapsulates the changes and the continuities in IWGIA over the last 20 years. In the opening speech, Georg Henriksen, a founder member of IWGIA, a Chairman and, in fact, editor of the first IWGIA Newsletter, set the present and past together. Here are extracts of the speech which will be published in full in the forthcoming proceedings of the symposium.

Introduction to IWGIA Symposium on Ethno-Development: Indigenous Perspectives

Twenty years ago, in July 1968, at the International Congress of Americanists in Stuttgart, a group of anthropologists heard, with horror, confirmation of mass killings which were taking place in Colombia and Brazil. We felt then that it is impossible for anthropologists to spend their lives researching about the indigenous peoples of the world while remaining aloof and unconcerned.

Some of us felt that we had a responsibility to work against those forces and interests which are destroying indigenous peoples. We signed a resolution to establish an organisation - a research centre which would document and support the struggle of indigenous peoples for their rights. This initiative was fine as a gesture, but it was the late Helge Kleivan who brought the idea to life by founding IWGIA.

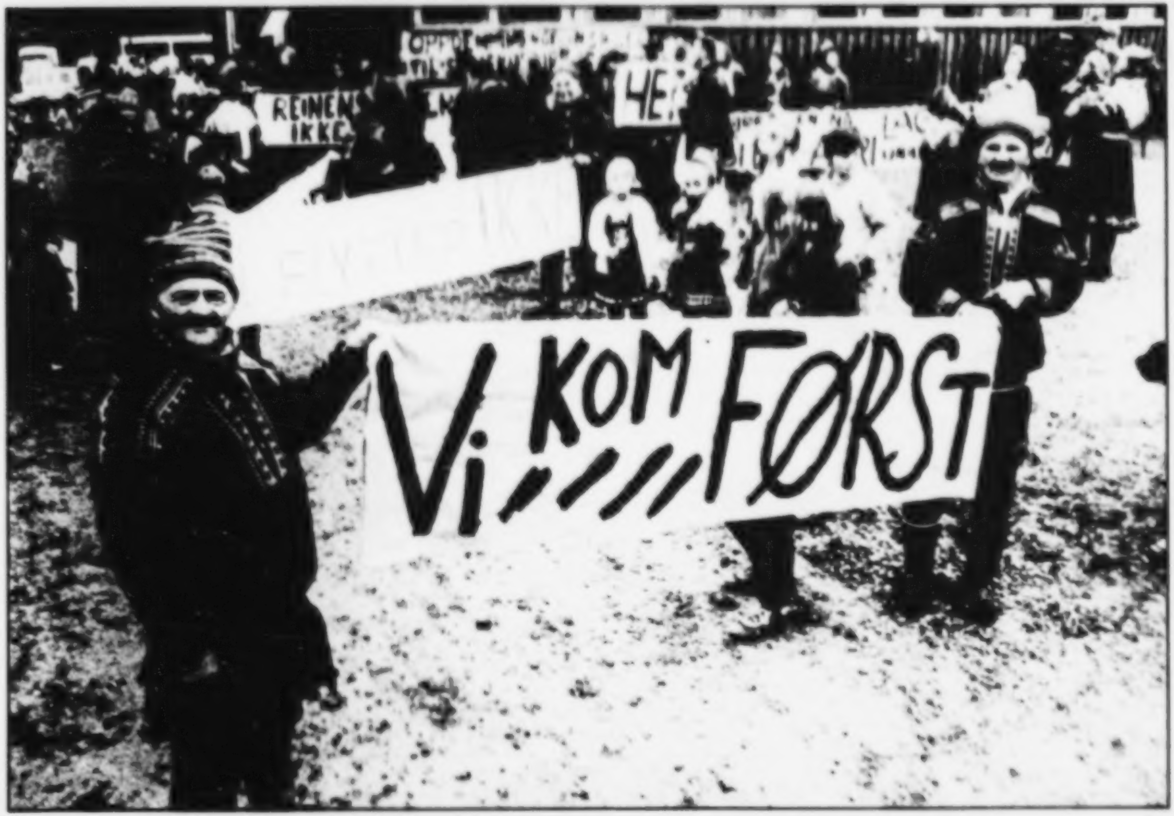
Today, twenty years later, IWGIA has returned to the Congress of Americanists. But this time things are different. Over the last twenty years a major transformation has taken place among indigenous peoples. Indigenous self-organisation has blossomed and spread throughout the world. Apart from the Americas, the Pacific, Asia, Europe and even Africa are involved in this fundamental struggle for basic rights.

In 1988, IWGIA's participation has been only nominal. Our major tenet is, and always has been, that we do not speak on behalf of indigenous peoples. We believe that every people, or nation, must speak for itself or in agreed conjunction with each other. We would, therefore, not presume to put words into your mouths. We are here to provide a service, a support and solidarity in your struggle.

Twenty years ago indigenous peoples were looked upon as minority populations. They were to be integrated, assimilated and basically extinguished as socio-cultural entities. The kiss of life from well-meaning supporters often spelt death. Twenty years later we are still fighting against these basic concepts and issues.

Academic research is too frequently presented as a *fait accompli* from above to indigenous peoples and is viewed from without rather than within. These are the same problems that we encounter with industrialised notions of development.

IWGIA fights against the hegemony and elitism of development and research. When we look at the way in which research into indigenous affairs has been carried out and how development is practised, we can see several parallels. In the same way that indigenous peoples are at the receiving end of research so they are with many development projects. Too often indigenous peoples are forced to assimilate into a picture which is provided of them by the researcher and are treated as objects of scientific interest, not as human beings with rights.



In 1979, IWGIA campaigned fervently with the Saami against the construction of the Alta Dam in Kautokeino (photo: IWGIA Archives).

IWGIA supports the indigenous struggle for the democratisation of information, for self-development and human rights. Without this there can be no self-determination for indigenous peoples which encompasses all culture, land and indeed life itself. Self-determination is the key concept in the fight against the colonisation and hegemony of development processes and research paternalism.

Too many anthropologists have painted a picture of indigenous peoples as those who have no history - people who are outside time. In fact, the last twenty years have shown that indigenous peoples are making history. The rise of indigenous organisations, the increasing research by indigenous scholars and the number of self-development projects demonstrate how self-determination is a right you indigenous peoples already have. The task ahead is to ensure that your right is recognised.

5. IWGIA Annual Report 1988

Introduction

1988 was IWGIA's 20th Anniversary and during the year we faced the same problem we have had throughout our history - lack of funds. Since 1982 our income has remained the same, while expenses (particularly of publications) have increased considerably.

In addition, funding agencies are beginning to insist on earmarked support which constricts our work by channelling support away from our daily infrastructural needs. The result of these problems has led to a growing deficit which finally caught up with us in 1988. In order to balance our budget we had to cut our publication production by 50 per cent. Ever so, we have been able to raise money from specific grants to continue our support for indigenous peoples throughout the world.

The structure of IWGIA is divided between three bodies:

1. International Board: René Fuerst (Switzerland), Chairman; Georg Henriksen (Norway), Vice Chairman; Jens Dahl (Denmark), Aud Talle (Sweden) and Espen Wæhle (Norway).
2. Staff employed at the Secretariat in Copenhagen: Executive Directors (Andrew Gray and Teresa Aparicio), Administrator (Karen Andersen).
3. National Groups in Norway, Sweden, Denmark and Switzerland.

IWGIA's support for indigenous peoples can be divided into three main areas: human rights, research and development issues. Publications are the backbone of IWGIA's work and their production demonstrates the interrelationship between these three areas. The material for the publications is the result of research carried out by indigenous and non-indigenous researchers. In all cases the subject matter concerns the rights and freedoms of indigenous peoples, which are currently in the fore of international human rights questions. The consciousness-raising which arises from this frequently materialises in applications by indigenous peoples for self-development projects.

All IWGIA publications are sent free to indigenous peoples and organisations. In November this year it was pointed out at an international meeting in Brussels that IWGIA publications are currently the only documentation on indigenous affairs which regularly reaches indigenous peoples all over the world.

Human Rights Work

International Human Rights Standards

1. United Nations

IWGIA attended the UN Working Group on Indigenous Populations meeting in August. As part of the Human Rights Fund for Indigenous Peoples, we helped to bring indigenous representatives from the Philippines, Burma, Panama, Bolivia, Peru and Ecuador to the meeting. IWGIA sends all its publications to the Working Group and has been closely following discussions relating to the drafting of a Declaration of Rights for Indigenous Peoples. We also send our publications to the Committee for the Elimination of Racial Discrimination. IWGIA is currently applying for consultative status with the Economic and Social Council of the United Nations.

2. International Labour Organisation

IWGIA's status as a Non-Governmental Organisation with the ILO was approved and we attended the Committee discussing the revision of Convention 107 in June. IWGIA has been closely following this process and sounding out the varying opinions of different indigenous organisations. It appears that a revised Convention will be drafted during 1989. Indigenous peoples are expressing concern about this as many weaknesses are apparent in the intended text.

3. The European Parliament

IWGIA is currently investigating joining with other EEC indigenous support organisations to form a Euro-group on Indigenous Affairs. This will support campaigns such as the Arctic fur protest. Animal rights groups are currently supporting a fur-labelling campaign within the European Parliament which stands to affect drastically indigenous hunters and trappers of the Arctic. IWGIA-Denmark has spearheaded this campaign with a meeting at the Danish Parliament attended by more than 200 people.

National Protests and Concerns

We have made regular protests against violations of indigenous human rights throughout the year. The following cases demonstrate the global nature of our work:

1. Australia

1988 was the year of the Bicentennial celebrations of Australia. The Aborigines of the country protested strongly in Sydney on January 26th. IWGIA marked the day with telegrams of support for the four main Aboriginal organisations in

IWGIA representatives talk to Danish Police during demonstration on January 26th, 1988 (photo: Anna Maria Lazarini).

Australia and by holding a protest at the Australian Embassy. During subsequent months, IWGIA-Denmark continued the campaign in the national media.

2. Bangladesh

IWGIA has been very active on the Chittagong Hill Tracts case. We are at the centre of the European information network and have raised money to support the refugees from the CHT in Tripura. In August we sent an emergency letter to our network about the reported killing of 300 indigenous tribal people in Baghaichari Upazilla. IWGIA has also raised £1,000 for making a film about the situation in the Chittagong Hill Tracts which will come out as our second sponsored video cassette. IWGIA-Switzerland has published a document in German on the situation in the Chittagong Hill Tracts and presented an exhibition in Zurich.

3. Brazil

IWGIA's main concern during 1988 was the plight of the Yanomami. Throughout the summer, we organised an exhibition at the Kulturhuset in

0UU 45

Stockholm. In August, we protested strongly against the proposed "demarcation" of Yanomami territory which aims at reducing their lands by 70 per cent. On October 11th, IWGIA-Denmark, Sweden and Norway held a night's vigil at the Brazilian Embassies in Scandinavia to draw attention to the dangers facing the Yanomami from mining prospectors.

4. Ecuador

In August, IWGIA protested concerning the threats to the indigenous peoples of the Ecuadorian Amazon from oil exploration. The Huaorani and the Quichua are particularly affected. In response, the Ecuadorian government said that they would look into the matter. At present there are 28 oil companies with permission to explore for oil in 3,660,000 hectares. IWGIA has also contacted a Danish company working in the area to express concern at the threats facing the Huaorani. Accompanying colonisation has brought more than 2,500 families onto indigenous territories.

5. Paraguay

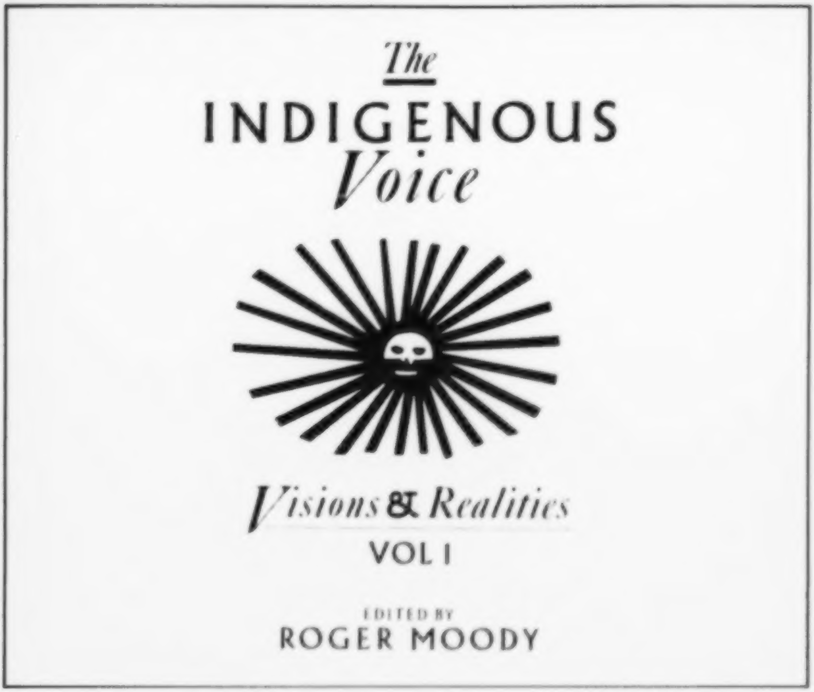
In November, IWGIA sent a protest to the Paraguayan government expressing concern over the intentions of the Sommerfeld Mennonite Cooperative in the Department of Caaguazu to relocate three Mbya communities by force. This is contrary to national law and violates Mbya territorial rights.

6. Peru

Throughout the year, IWGIA has supported the campaign against Shell which is carrying out oil explorations in the Camisea region of the Amazon. Its camps have affected the territories and communities of the Matsigenka, the Piro and the Nahua. We have urged the government to insist on safeguards for indigenous rights and the ecology of the Amazon.

7. Philippines

During 1988, indigenous peoples have suffered from an increase in violence throughout the Philippines. Leaders have been killed, communities bombed and territories invaded. In November, IWGIA sent a telegram to the media and leading national bodies expressing grave concern at these events and questioning the wisdom of holding an International Indigenous Cultural Festival in Manila, during November, in the face of widespread indigenous criticism.



The
INDIGENOUS
Voice

Visions & Realities
VOL I

EDITED BY
ROGER MOODY

The Indigenous Voice.

Research Work

Publications

IWGIA publications in 1988 were much fewer than usual; however, we managed to bring out the following issues:

The 1987 Yearbook came out in February and contained an overall view of the indigenous world, a report from the United Nations Working Group on Indigenous Populations, focus sections on the Philippines and the Amazon and a commentary on the UN Declaration on Development.

In 1988 IWGIA has produced two double issue Newsletters which include articles on the Yanomami, the refugees from the Chittagong Hill Tracts, Adivasi in India, the Philippines and the Aborigines of Australia. The two Spanish Boletins cover similar ground but also contain several articles on Argentina and Mexico.

IWGIA's publication on Tourism came out in English and Spanish including articles on Indonesia, Kenya, Peru and the Philippines. At the end of the year IWGIA published its first document on North America, which has been edited and produced by indigenous people. It was produced with support from the Onaway Trust. A Spanish documento concerning the eviction of 150,000 people by the Srisailam Dam in India was published in December.

In 1988, IWGIA co-published with Zed Press a two-volume collection of statements by indigenous peoples called *The Indigenous Voice*. This encyclopedic work has taken several years to produce and has been edited by Roger Moody from Britain. The book has been provided with a special offer to the IWGIA readership in order to compensate for our low publication rate during the year.

Networking

In order to improve this new emphasis in IWGIA's work, two field trips to South America were organised in 1988. The two executive directors from the Secretariat visited Peru, Chile, Argentina and Paraguay, and Ecuador, Venezuela and Brazil, respectively.

The aims of these trips was to see how the IWGIA publications are reaching the organisations and communities and expand and consolidate IWGIA's network in South America. The results were extremely promising and the numbers of Boletins sent to South America have increased by 50 per cent and are now being sent directly to local organisations and communities.

The Resource Centre

IWGIA's resource centre is now in operation. The research material is classified and over 20,000 books, periodicals, newspaper cuttings and articles are available to the public. IWGIA has now facilities for people to use and work in the resource centre and researchers come regularly for periods to study specific questions.

We have one full-time researcher, Professor Fay Cohen, an anthropologist from Dalhousie University School for Resource and Environmental Studies in Canada. She studies indigenous fishing rights and resource management, with support from the Wenner-Gren Foundation and the Social Sciences and Humanities Research Council of Canada. She is based at IWGIA for one year to gain understanding of indigenous affairs from a global perspective. We are planning to extend our facilities further to both indigenous and non-indigenous researchers.

In addition to providing research facilities, IWGIA invites educational institutions to its offices to explain about indigenous affairs and operating a resource centre. From time to time, members of the Secretariat and IWGIA-Denmark visit schools, colleges and universities to talk on indigenous affairs and teach courses.

IWGIA's Arctic Seminar, Danish Parliament (photo: Karsten Barsøe).

The material which IWGIA receives is also disseminated in other ways to the general public. IWGIA-Denmark uses the material which arrives in IWGIA to produce a bi-weekly radio programme on indigenous issues and write articles for the national press on indigenous current affairs. This information is frequently supplemented with interviews from visitors to IWGIA.

Visitors and Travels

An important part of collecting information and understanding indigenous affairs throughout the world comes from visitors. During 1988 IWGIA has received delegations of indigenous representatives from all over the world:

These visitors included a government delegation from Nicaragua who spoke of the autonomy project and indigenous rights, and the leader of the Union of Indigenous Nations in Brazil who discussed recent developments in the Amazon. In addition, a three person delegation from the Philippines provided us with detailed accounts of the worsening human rights situation in the Cordillera, while two women from Belau and Tahiti explained US and French nuclear activities in the Pacific.

IWGIA has also participated at several international meetings in order to increase its contacts and gain more information on indigenous questions. In 1988 we participated at the Meeting of North American Indian Support Groups in Malmø, Sweden; at an international indigenous conference in Milan, Italy and at an European meeting on the Amazon in Brussels, Belgium. At each of these meetings, we were able to make contact with indigenous representatives.

IWGIA organised a symposium at the Inuit Studies Conference in Copenhagen in October where Arctic indigenous peoples and researchers presented several papers on the situation in the area and indigenous organisation. IWGIA-Sweden also organised a symposium on the activities of the World Bank during September in Gothenburg which was attended by government officials and Swedish NGOs.

Congress of Americanists

During 1988, IWGIA organised a symposium at the Congress of Americanists in Amsterdam in the first week of July. IWGIA was founded at the Congress of Americanists in Stuttgart in 1968 and so this was a return after 20 years.

IWGIA's symposium differed from the usual format in that it consisted entirely of indigenous representatives and researchers who presented papers on two main themes: indigenous self-development in relation to self-determination and indigenous research methods.

The symposium was divided into four sections according to area:

1. *North America/Pacific:* Coreen Gray from the Inuit Circumpolar Conference spoke on self-determination and indigenous organisation. Pamela Colorado talked of North American Indian research methods. Haunani Kay Trask presented a paper on the history of the indigenous peoples of Hawai'i.

2. *Central America:* Manuel Ballasteros from Mexico talked of the history of self-development in Mexico. Hazel Lau from Nicaragua discussed the situation in the Atlantic Coast from the perspective of development from within and outside the indigenous community. From Belize, Primitivo Coc addressed the problem of uncontrolled and imposed development.

3. *Highland South America:* Salvador Palomino presented a paper on indigenous perspectives of culture and research methods. Reynaldo Mariqueo discussed self-development among the Mapuche. Domitila Chungara spoke about the oppression of the Bolivian indigenous miners and the role of coca in highland culture.

4. *Lowland South America:* Els Wolff explained the situation in Surinam. Evaristo Nukguag and Cristobal Naikiai presented papers on ecological and development problems in Peru and Ecuador respectively. Anatolio Quirá from Colombia explained the question of self-development among the indigenous peoples of his country.

The papers and discussions were received well and IWGIA will publish the proceedings of the symposium in 1989.

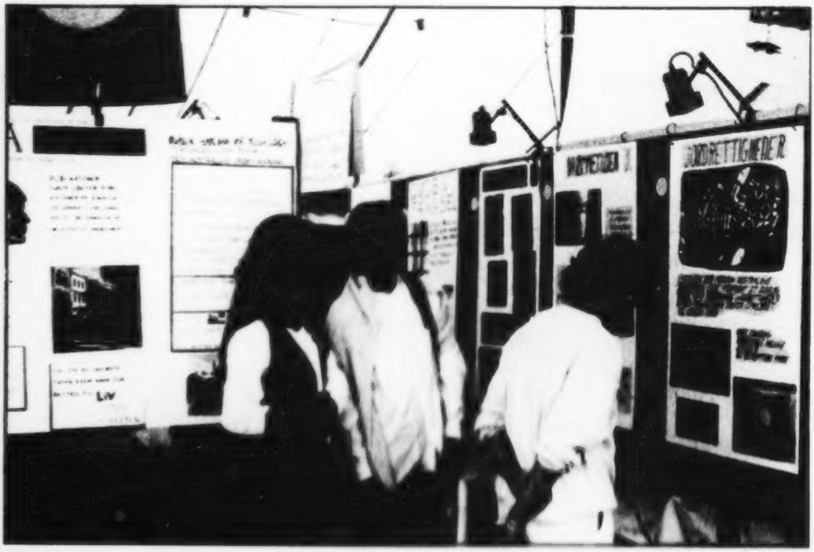
Development

Emergency Aid

IWGIA does not have the facilities to carry out direct development project work. However, in certain emergency cases, we channel funds where no other means are available. For this reason we have continued to channel support to the refugees from the Chittagong Hill Tracts who are currently in Tripura. We have heard very positive reports concerning the effect of this support from the Buddhist monks organising the relief work.

Development-Information

IWGIA is becoming increasingly aware of the relationship between its own publications and indigenous self-development. Indigenous peoples from all over the world receive our material free of charge and are part of our international network. We have had feedback from these organisations which shows that IWGIA is currently the only publication of its kind available from the Amazon to the Philippine Cordillera.



IWGIA provides information on the Aboriginal situation at Roskilde Festival (photo: Claus Oreskov).

Indigenous peoples use our publications for several reasons:

1. They learn more about the international dimension of indigenous affairs. This is the aspect which we call the "South-South" dialogue and it consist of consciousness raising. Articles in the Boletín on Ecuador, for example, have provided Peruvian Indians with information about what is happening to their indigenous relatives in the neighbouring country. In addition, the publications have produced several detailed articles on development issues (the critique of the Declaration on the Right to Development and an article on Self-Development in the Philippines are two examples).

2. When indigenous peoples read about the self-determination and self-development projects of others, they are frequently encouraged to present their own aims and desires in the form of projects and seek ways of implementing them. In many cases, they make contact with IWGIA for advice and support. We recommend them to contact development agencies, such as the Norwegian Agency for Development Co-operation, NORAD, which has indigenous peoples as a priority in their programmes.

In this way, the information which IWGIA provides contributes to forming the background for future project applications. During 1987, we formulated this information-development aspect of our work into a "South-South programme". According to this approach, we make our services to indigenous peoples our highest priority in the publication work of IWGIA. Subscriptions are still important but the main target for our publications are indigenous peoples and organisations.

Development Collaboration

During 1988, IWGIA has increased its support for indigenous peoples who are seeking funding for projects from development agencies, in particular, NORAD. Most indigenous projects are well thought-out, but for technical reasons may not fit the requirements set out by the funding agencies. IWGIA tries, in these cases, to iron out the differences in perspective between the indigenous organisation and the agency. We also suggest to both parties methods which could increase the possibility of a successful outcome for the projects.

NORAD has been very interested in this idea and regularly consults IWGIA. IWGIA then provides positive suggestions on new projects which NORAD has not already rejected outright. In this way, IWGIA can support indigenous projects in a practical way without becoming involved in the official decision-making.

Conclusions

Plans for 1989

IWGIA intends to try and boost its publication rate over the next year. Main items will be the publication of the papers presented at the Amsterdam symposium and the long awaited Women's Document which we are hoping to bring out in conjunction with the first Indigenous Women's Conference to be held during July, 1989, in Adelaide, Australia.

We intend to continue the new line we have been developing over the last year with research and development. Already we have hosted the Solidarity Meeting of European Support Groups for East Timor in February and a Chittagong Hill Tracts symposium is planned for later in the year. We are increasing the number of symposia-style meetings in IWGIA as these are important for bringing together people to discuss indigenous questions.

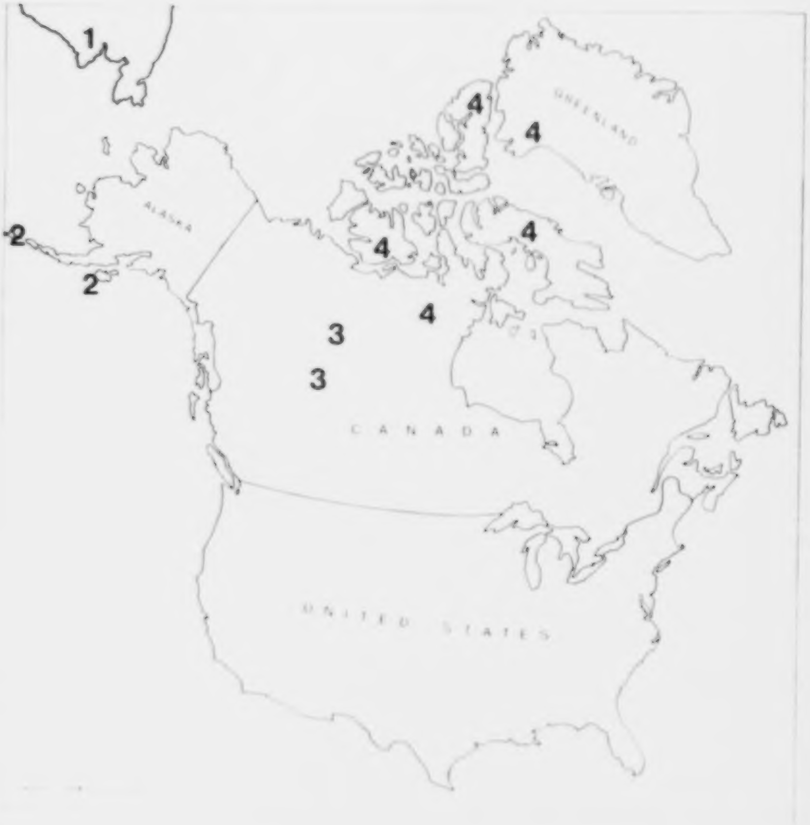
In 1989, IWGIA intends to increase its networking by travelling to Central American countries in a similar way to the 1988 trips to South America, thereby increasing our contacts, distribution and effectiveness. In addition, we pursued actively our UN consultative status application in New York in January and will pursue our work with the European Parliament.

IWGIA - A Co-ordinated Work Structure

IWGIA provides direct services to indigenous peoples. The three dimensions of IWGIA's work - human rights, research and development support - are clearly visible in these activities: support for indigenous campaigning in human rights, providing free information from the results of research on indigenous affairs and acting as an intermediary in the promotion of indigenous projects of self-development. In this way we try to break the pattern of paternalistic control of indigenous affairs by outsiders and support the rights of indigenous peoples to control and determine their own territories, cultures and lives.

The
Indigenous World

Map of the Arctic



Indigenous Population: 100,000 Inuit

Key:

1. *Chukotka*
2. *Aleut*
3. *Dene/Metis*
4. *Inuit*

THE ARCTIC

> The emerging human right to development includes social, cultural, and spiritual as well as economic dimensions. In our northern territories, we favor safe and wise uses of the lands and waters according to our own values and standards. Developments must be equitable and sustainable from an indigenous point of view.''
>
> Dalee Sambo, ICC representative at the United Nations Working Group on Indigenous Populations (UNWGIP) 1988.

In 1988 the most important issue affecting the indigenous peoples of the Arctic has been the further development of land claims. Moreover, important elections have taken place in Alaska, Canada and Greenland.

From an international perspective, the political changes in the **Soviet Union** have greatly affected the Arctic region. In a speech in Murmansk, the Soviet leader, Gorbachov, opened up the possibility of a new co-operation across the Arctic which would lead to mutual visits between Native Alaskans and the indigenous peoples of Eastern Siberia (Chukotka). This historical opening of Chukotka, opposite Alaska across the Bering Strait, was confirmed later in the year as representatives from the Inuit Circumpolar Conference (ICC) visited the Inuit areas of Chukotka.

In 1971 US Congress, Washington, passed the **Alaska** Native Claims Settlement Act. ANCSA was a land claims settlement which left Native Eskimo, Indian and Aleut with 44 million acres of land, about 11 per cent of the State, and a 1 billion dollar cash compensation. The act also extinguished Native Alaska aboriginal claims to the land.

A major problem for Native Alaskans has been the twenty year transitional period ending in 1991. From that year shares in the Native corporations (13 regional and more than 200 village corporations) were to have been transferable to non-Natives and Native land would become open to taxation. To anticipate this, Alaska natives have been lobbying for changes in ANCSA, and in February 1988 President Reagan signed Public Law 100-241 which includes the so-called '1991 amendments'.

The amendments were supported, or accepted, by the statewide umbrella organisation, Alaska Federation of Natives, AFN, but vigorously opposed by the Alaska Native Coalition which withdrew from AFN in 1987 on the 1991 question.

The amendment makes restrictions on stock alienation and land taxation and gives rights to Natives born after 1971 (they were originally excluded from the benefits of ANCSA). But the political question of tribal control and sovereignty was specifically avoided in the new amendments.

James and Mika Attagootak of Pond Inlet stand on the shoreline at Salliarusiq proudly displaying a narwhal tusk (photo: Keith Hay, Nunavut).

In **Canada**, negotiations over land claims continue. In September the Dene and Metis people of the Northwest Territories signed an Agreement in Principle (AIP) with the federal government in Ottawa.

This agreement (in principle) will give the Dene/Metis people 500 million dollars and 70,000 sq. miles of land to which the Dene/Metis will hold the title. In addition, the Dene/Metis will hold the subsurface title to 3,900 sq. miles of the 70,000, giving them ownership of all oil, gas and minerals beneath the surface. The Dene/Metis will also share in government resource royalty revenues. Fifty per cent of the first 2 million dollars of government royalty revenues and 10 per cent of the revenues over that amount will go to the Dene/Metis annually.

The land claims put forward by the Inuit people are still under negotiation, but the negotiations for carving out an Inuit controlled territory (Nunavut) out of the Northwest Territories have come to a deadlock. This happened after a breakdown in the negotiations between the Inuit on the one side, and the Dene/Metis, on the other, concerning the boundary of Nunavut to the south.

Furthermore, the process has been eroded by the devolution of power from the federal government to the government of the Northwest Territories in Yellowknife (a majority of the legislative assembly of the Northwest Territories consists of Dene, Metis and Inuit).

In September, a Northern Accord Agreement-in-Principle was signed by Prime Minister Brian Mulroney and Northwest Territories government leader Dennis Patterson. It is an agreement to be negotiated between the federal and territorial governments that will see all provincial-type responsibilities for the management of oil and gas resources, including resource revenues, transferred from the federal government to the Northwest Territories.

Since 1984, a coalition government has ruled in **Greenland**. When Home Rule was introduced in 1979, the socialist Siumut Party won a majority, and, from 1984, a majority was made of a coalition between Siumut and the Marxist-oriented Inuit Ataqatigiit. However, after a disagreement between the two parties, Inuit Ataqatigiit was thrown out of the government. The new minority government has been supported by the conservative Atassut party. In 1989, Premier Jonathan Motzfeldt can look back on 10 years in office.

A new agreement on mineral resources, oil and gas was made between the Danish and the Greenlandic parliaments in 1988. This stipulates that all revenue from these activities will be shared on equal basis between the two countries. For revenues exceeding 500 million Danish Kroner (75 million US dollars), negotiations between the two governments will have to take place.

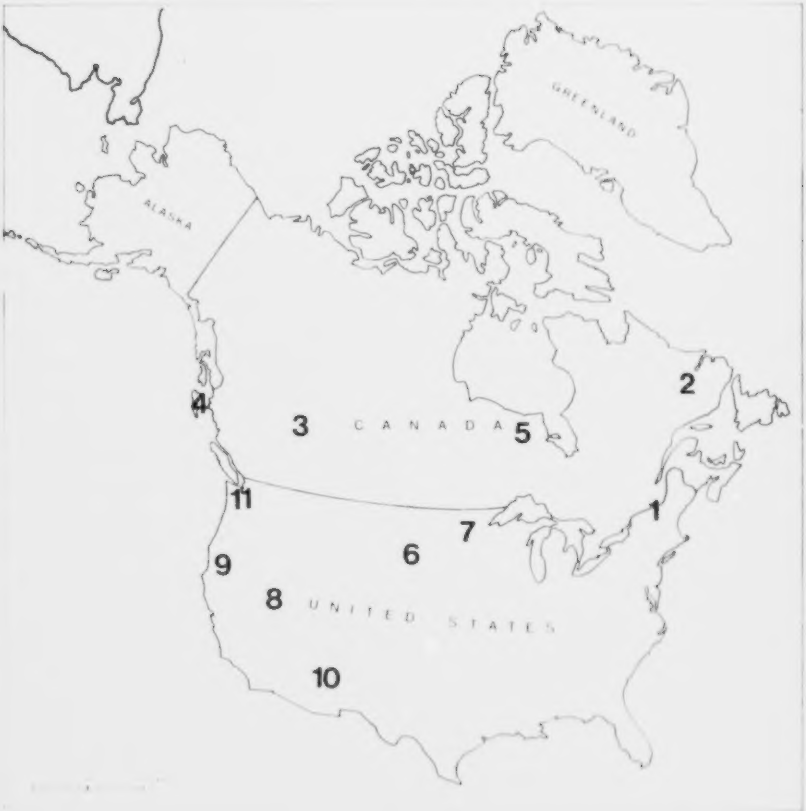
Source: Jens Dahl

On February 17th, the European Parliament passed a resolution on labelling of furs from animals traditionally captured with leghold-traps. This came about under substantial pressure from various animal protection organisations which trust this labelling will provoke a consumer boycott, and thereby ruin the fur market for the indigenous populations of Canada, among others. Indigenous Survival International (ISI) and IWGIA have strongly protested against this resolution as the labelling will mean cultural and economical disaster for Indians and Inuit. The resolution is clearly inconsistent with the two UN conventions of December 16th, 1966 "On Civil and Political Rights" and "On Economical, Social and Cultural Rights", with the International Union of the Conservation of Nature's World Environment Strategy and the Bruntland Report.

As the trappers' quarry does not constitute a threat to the ecosystem or the species, neither Greenpeace nor the World Wildlife Foundation are involved in this matter. If the resolution is carried out, it will lead to the greatest ethnocide of the century in the Arctic.

Source: Frank Sejersen, Arctic Group, IWGIA-Denmark

Map of North America



Indigenous Population: 3.5 million

Key:

1. *Haudenoshaunee/Mohawk*
2. *Innu*
3. *Lubicon Cree*
4. *Haida*
5. *Athbascan, Cree*
6. *Lakota*
7. *Anishinabe*
8. *Western Shoshone*
9. *Yurok, Karok, Tolawa*
10. *Hopi/Diné (Navajo)*
11. *Puyallup*

NORTH AMERICA

> Do not hurry with your answers.
>
> Do you believe - really believe - that all peoples are entitled to equal protection of international law, now that you are so strong?
>
> Do you really believe - really believe - that treaty pledges should be kept? Think these questions over and answer them to yourselves.
>
> We are not as dependent in some ways as we were in the early days. We do not need interpreters now. We know your language and can understand your words for ourselves, and we have learned to decide for ourselves what is good for us. It is bad for any of our peoples to take the advice of an alien people as to that.
>
> Chief Deskaheh of the Cayuga Nation to the non-indigenous world, June, 1925, quoted at the UNWGIP, 1988, by Haudenoshaunee Representative.

1988 was a difficult year for the indigenous peoples of **Canada**. Three indigenous nations were in direct conflict with the authorities and the Royal Canadian Mounted Police which led to arrests and violence.

On June 1st, 1988, there was a paramilitary invasion of Kahnawake, Quebec, a Haudenoshaunee community from the Six Nations Iroquois Confederacy. The community blockaded the entrances, but the 200 armed police managed to arrest 17 Mohawks, and place ten more under threat of arrest. The invasion took place because the Canadian government is trying to tax internal trade within Haudenoshaunee territory which encompasses the Canadian/USA border. Another invasion of Mohawk land took place on October 13th at Cornwall Island. In protest, 100 Mohawk women blockaded the international bridges between the USA and Canada for three and a half hours on October 17th.

The second area of confrontation also took place in the northeast of Canada. 9,600 Innu people of Labrador/Quebec continued their four year struggle against militarisation of their territory, Nitassinan. Low-level flying by NATO aircraft continues and, contingent on the results of an environmental impact assessment process (FEARO), plans could be made to establish a NATO military base at Goose Bay. On September 13th, an Innu family from Sheshatshit with their priest, occupied a bombing range; two days later they were joined by 70 Innu. By October, a protest camp had been set up at the end of the runway. One hundred Innu have been arrested and charged and 21 people have been jailed, including the Sheshatshit Band chief, Daniel Ashini. Meanwhile, the Dutch government appears all set to ratify a defence agreement with Canada to increase low-level flying over Innu land.

The third area of conflict took place in October in Alberta, where the Lubicon Cree have been fighting for their rights to land.

> The Lubicons are looked upon as the forerunners. They've opened the door, Indian people across Canada must stand firm for what belongs to them.
>
> Peter Big Head (Blood Band)

Naskapi/Innu hunter with his catch (photo: Georg Henriksen).

1988 was a dramatic year in the history of the Lubicon Lake Band. On October 15th, with the Canadian election campaign well under way, the Lubicons blockaded an area covering 90 sq.km. of their traditional lands and proclaimed a nation with rights and legislation. All main routes to the area were barricaded. This event was preceded by half a century of unsuccessful struggle to ensure the right to a reserve.

Forty-eight years ago, Ottawa offered the Lubicons a reserve. Since then all sorts of excuses have been contrived for not keeping this promise. Meanwhile, the Lubicons' traditional economy, based on fishing and hunting, has been ruined by about 100 oil companies extracting gas and oil from the territory. More than 600 oil wells have been drilled. The daily production amounts to approximately 1 million Canadian dollars. The Lubicon Lake Band has received no share of this money in spite of the fact that they are the rightful owners of the land, as they have never renounced it, neither by the signing of treaties nor in any other way.

Indigenous peoples from all over Canada, as well as European supporters, participated in the demonstration. After six days of blockade, armed mounties stormed the barricades and 27 of the Lubicons and their supporters were arrested. Finally, the Premier of Alberta Province, Don Getty, was ready to negotiate with Lubicon Chief, Bernard Ominayak. The latter consented on condition that the detainees were released immediately.

These negotiations resulted in an agreement between the Lubicon Lake Band and Alberta. Premier Don Getty promised the Lubicons a 246 sq.km. area, including mineral rights to a 205 sq.km. reserve. However, the duty of reimbursing the State of Alberta for the value of the land given to the Lubicons lies with the Federal Government, which soon turned out to be a tough negotiator. Theoretically, the Federal Government recognised the Lubicons' right to a 246 sq.km. reserve, but negotiations broke down when they reached the point of how to handle third-party oil exploration and grazing leases in the proposed reserve. It also turned out that Ottawa was not willing to meet the Band's demands for various financial subsidies, something to which all indigenous peoples signing treaties with the government are entitled. Although Ottawa agreed to give the Band some compensation, this amounted to far less than the Lubicons had demanded.

The increase in the uranium mining industry in Saskatchewan continues to be of concern. All the major world nuclear powers have stakes in the mining which will soon be placed under one company. Over 70 per cent of the population of the area affected by the mines is indigenous. Nevertheless, in setting up the mining concerns, aboriginal rights have been by-passed, employment

Chief Bernard Ominayak, Lubicon Lake Band (photo: Claus Oreskov).

promises for indigenous peoples have been largely false and devastating ecological and social effects have been ignored.

Threats to the lands of the West Coast peoples remain. The Haida, whose lands contain a significant part of the world's cedar forest, find that national and international timber companies claim most of their valuable trees. Their fishing areas are polluted with raw sewage and their rivers with excrement from mercury pollution. The military have set up bases on their traditional lands. In spite of a court ruling from 1985, the Canadian government refuses to negotiate with the Haida nation, although logging has stopped in the Gwaiihaanaas Archipelago area.

A new threat for the indigenous peoples of Canada comes from a proposed water diversion scheme (the North American Water and Power Alliance (NAWAPA)). The scheme, which would consist of dozens of dams, aims to send water from five Canadian river basins down to the dry plains of the USA. Athabascan, Cree and Anishinabe peoples would be the most affected. If the plan were to come to fruition, between 30,000 and 40,000 people from Ontario alone would be relocated.

On both an international and national level (see report on the ILO later in this Yearbook), the Canadian government has clamped down hard on the development of indigenous rights during 1988. Violence against communities has increased, the establishment of Nunavut province has been halted, while the social and economic conditions of Canadian aboriginal peoples remain worse than those of any other sector of society. To demonstrate, 1988 figures show that Indians are 7 times more likely to commit suicide than non-Indians and are 10 times as likely to be imprisoned.

To the south, the **USA** was commemorationg the 200th anniversery of its constitution. The US Congress marked the occasion by passing a motion acknowledging Indian influence on the Constitution (*see accompanying text*).

Nevertheless, elsewhere in the United States further recognition of Indian rights is still lacking. Land claims continue in the Black Hills, where the pending Bradley Bill could result in the recognition of 750,000 acres of Lakota land, including sub-surface rights as well as re-titling sacred lands. Although low on compensation, the Bill is a basis for a solution. In January 1988, the Anishinabe (Chippewa) filed a suit (Fineday vs. US) challenging the White Earth Settlement Act of March, 1986, which forced the Indians to accept financial compensation in return for relinquishing claim to lands occupied by non-Indians.

Not only are the Western Shoshone the "most bombed nation in the world" (since 1963 the US has exploded 651 nuclear weapons on their territory and Great Britain 19), but they have been consistently denied their treaty rights to their territory, Newe Sogobia. In order to assert their rights to the 90 per cent

US Joint Resolution

Passed October 1988 to acknowledge the contribution of the Iroquois Confederacy of Nations to the Development of the United States Constitution and to Reaffirm the Continuing Government-to-Government Relationship Between Indian Tribes and the United States Established in the Constitution

It was resolved by the Senate (the House of Representatives concurring), that:

Whereas, the original framers of the constitution, including most notably, George Washington and Benjamin Franklin, are known to have greatly admired the concepts, principles and government practices of the Six Nations of the Iroquois Confederacy; and

Whereas, the Confederation of the original thirteen colonies into one Republic was wxplicitly modeled upon the Iroquois Confederacy as were many of the democratic priciples which were incorporated into the Constitution itself, and,

Whereas, since the formation of the United States, the Congress has recognized the sovereign status of Indian Tribes, and has, through the exercise of powers reserved to the Federal Government in the Commerce Clause of the Constitution (art.I, s8, cl.3), dealt with Indian Tribes on a government-to-government basis and has, through the Treaty Clause (art.II, s2, cl.2), entered into 370 treaties with Indian tribal nations, and

Whereas from the first treaty entered into with an Indian nation, the Treaty with the Delaware Indians of September 17, 1778, and thereafter in every Indian Treaty until the cessation of treaty-making in 1871, the Congress has assumed a trust responsibility and obligation to Indian Tribes and their members to "exercise the utmost good faith in dealngs with the Indians" as provided for the Northwest Ordinance of 1987 (1 Stat.50); and

Whereas, Congress has consistently reaffirmed these fundamental policies over the past 200 years through legislation specifically designed to honor this special relationship; and

Whereas, the judicial system of the United States has consistently recognized and reaffirmed this special relationship;

Now, therefore be it Resolved by the Senate and House of Reprensentatives of the United States in Congress assembled, that:

1) The Congress, on the occasion of the 200th anniversary of the signing of the United States Constitution, acknowledges the historical debt which this Republic of the United States of America owes to the Iroquois Confederacy and other Indian Nations for their demonstration of enlightened, democratic principles og government and their example of a free association of independent Indian Nations;

2) The Congress also hereby reaffirms the constitutionally recognized government-to-government relationship with Indian Tribes which has historically been the cornerstone of this nation's official Indian Policy;

3) The Congress specifically acknowledges and reaffirms the trust responsibility and obligation of the United States Government to Indian Tribes, including Alaska Natives, for their preservation, protection and enhancement, including the provisio of health, education, social and economic assistance programs as necessary, to assist Tribes to perform their governmental responsibility to provide for the social and economic Well-being of their members and to preserve tribal cultural identity and heritage; and

4) The Congress also acknowledges the need to exercise the utmost good faith in upholding its treaties with the various Tribes, as the Tribes understood them to be, and the duty of a great nation to uphold its legal and moral obligations for the benefit of all its citizens so that they and their posterity may also continue to enjoy the rights they have enshrined in the United States Constitution for time immemorial.

of their territory which has been usurped by the government for "national defense, conservation and profit", Mary and Carrie Dann have promoted a Supreme Court case for recognition of the title to their land. Unfortunately, in 1988, the Dann sisters lost their case. Although they are intending to appeal, this has been a setback for the Western Shoshone's land claims.

Another Supreme Court decision against Indians in 1988 was against the Yurok, Karok and Tolawa Indians who claim that sacred sites will be destroyed by the construction of a logging road in the northwest. This demonstrates the ineffectiveness of the American Indian Religious Freedom Act (AIRFA) which is meant to guarantee protection for traditional Indian religious practise on federal lands.

Meanwhile there have been some developments in the Hopi/Diné (Navajo) relocation issue of Big Mountain. Since the partition of disputed land in 1962, and a Congress decision in 1974, more than 2,650 Diné (over 10,000 people) have been relocated or have been under threat of removal. The Navajo and Hopi Relocation Commission (NHIRC) moved the first 1150 families mainly to urban locations where they had limited compensation and no means to continue their livelihood. In November, 1988, 14 years after the Settlement Act, 1210 Navajo families and 11 Hopi families have been moved. 42 per cent remain to be relocated. The 1934 Boundary Bill which has not yet come to trial could mean further relocations and, in addition, there is a construction freeze against all Navajo living on the Hopi partitioned land who want to build or develop their homes. This is designed to make life hard for Navajo who do not leave the area. In November, 1988, the Office of Navajo and Hopi Relocations (ONHR) was stablished which replaces the NHIRC and which was provided with more facilities. In addition, a Trust has been set up of at least $10 million a year to contribute to the rehabilitation of the Navajo affected by the relocation. Since 1988, there has been more relocation to "New Lands" - rural areas where they can have livestock; by November, 55 families had been moved. More than 800 families could be relocated onto these areas, but that still leaves up to 600 families who would have no means of livelihood when relocated. Throughout the year the Big Mountain Legal Defense Committee continued its international campaign against the relocation because it violates Navajo religious liberty. It also points to the terrible conditions of those families who have been relocated. Many live in desparate poverty and lack any means of livelihood. There are also reports of violence between newly relocated families and people already in the areas.

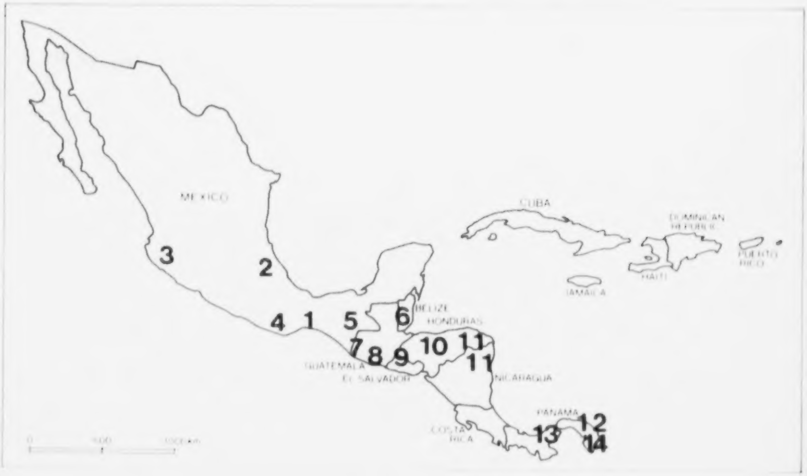
In 1988, the Northwest treaty tribes (20 in Western Washington and 4 on the Columbia River) caught approximately 50 per cent of the harvestable salmon and steelhead destined for their traditional fishing places. Their treaty right to the fish was affirmed in February 1974 in US v. Washington (the Boldt decision), which also affirmed tribal management authority over these fish runs. Although some unresolved problems remain in the courts, the successful treaty rights litigation has been repeated in Michigan and Wisconsin. These gains have been accompanied by a rise in public opposition to Indian rights in the so-called "Anti-Indian Movement".

Also in Washington, 1988 has seen a large land claim settlement for the Puyallup nation, primarily in the form of cash compensation of $162 million and control over an international trade terminal at Puget Sound. In return, however, the Puyallup have relinquished their land throughout the centre of downtown Tacoma.

During 1988 Leonard Peltier continued his life in prison. Support for his case has been strong, however, and there is a current move to challenge his original extradition from Canada in the Canadian courts in 1976. Since the extradition, the freedom of information act in the US has pointed to clear cases of perjury and presentation of false evidence in the order to bring Leonard Peltier back to his show trial in the United States in 1977. As a recent report on his case published by IWGIA states: ''Leonard Peltier may yet be proven innocent and returned to freedom. Until that time, his name remains a rallying cry for the struggle of all indigenous people and a condemnation of the US government's blatant disregard for human rights within its own borders.''

Sources: Akwesasne Notes, Anthropology Newsletter, Calgary Herald, Fay Cohen (US Fishing Rights), Globe and Mail, IWGIA Document 62, Kainai, Klaus Oreskov IWGIA-Denmark (Lubicon Lake Indian Nation), Native News, Native Press, New York Times, Survival International, The Edmonton Journal, Work Group for Indigenous Peoples (Netherlands). For further information on the Lubicon struggle see IWGIA Newsletter No. 43/44, 1985 and IWGIA Document No.62 p.151-174.

Map of Central America



Indigenous Population: 13 million

Key:

1. *Mixe*
2. *Nahua*
3. *Huichol*
4. *Triqui*
5. *Tzotzil*
6. *Maya*
7. *Cakchiquel*
8. *Canjobal*
9. *Nahuat/Lenca*
10. *Xicque*
11. *Miskitu*
12. *Kuna*
13. *Guaymí*
14. *Embere*

CENTRAL AMERICA AND MEXICO

> Indigenous women are the principal element for the continuity of our communities, the producers of the essential elements of development, the preservers of cultural values for each indigenous people, permanent collaborators in the work of man, educators of their children and direct participants in social change for the conservation and development of indigenous cultures.
>
> Rebecca Llaguno Salvador, Zapotec, Mexico, at the UNWGIP, 1988

In **Mexico** violations against indigenous rights have continued unabated throughout 1988. In Tehuantepec, Mixe peoples denounced the arrest and torture of Gregorio Castanon Lopez in February. On May 5th, Mixe homes were burnt and the harvest destroyed at the town of Benito Juarez. In Oaxaca, on May 24th, five Mixe from the community of Matias Romero were arrested for defending their land, and during July, the towns of El Pipila, Nuevo Progreso, Piedra Blanca, Mogone Viejo, Boca de Monte and Santa Maria denounced violations, persecution and the murder of their inhabitants.

On September 2nd, 13 Nahua began a hunger strike in San Andres de Tuxtla, Veracruz to obtain the release of indigenous political prisoners in Mexico State and Veracruz. It was soon followed by another 13 indigenous people in Mexico City (13 is a number which signifies strength among Mexican Indians). The protest, organised by the National Coordinadora of Indigenous Peoples (CNPI), is also against the killing of two national indigenous leaders and for the lifting of 5,000 detention orders against Indians who have been thrown off their lands and persecuted by local landowners. In the 60 years of Agrarian Reform in Mexico, more than 100 million hectares of indigenous land have been expropriated.

Conditions facing the 12,500 Huichol in the state of Jalisco are acute. The Huichol suffer from malnutrition, parasites, tuberculosis and cancer and massive land alienation, reported Mauricio de la Cruz, a Huichol leader at a meeting in Guadalajara.

Poor rural livelihoods, unemployment and lack of credit, are all reasons why indigenous peoples in certain parts of Mexico are being caught up in the drugs business. On a more positive note, about 16 million hectares of land in Oaxaca were titled for Triqui Indians in May, 1988.

Between 1983 and 1988 there have been more than 24 Tzotzil killed in land conflicts and over 500 have disappeared, been imprisoned, forcibly relocated or tortured.

> We want to tell you that we are only doing our duty in denouncing in sorrow the grief of our widowed mothers, most of whom are indigenous, the grief and tears of our thousands of orphans and all those who suffer living in this country of War.
>
> Rigoberta Menchú, Guatemalan Indian, speaking at the UNWGIP, 1988

After seven years of exile, four representatives from the United Representation of the Guatemalan Opposition (RUOG) returned to **Guatemala** on April 18th in the hope of finding some political opening in the country. Within hours of their arrival Indian leader Rigoberta Menchú, one of the representatives, was arrested. Security forces sealed off the airport and harassed journalists. Eventually, after an international campaign, Rigoberta Menchú and the other representative of RUOG, Rolando Castillo, were released.

Human rights abuses continue in Guatemala. The figures for 1987 came to 1021 cases of political violence (a 57 per cent increase on the previous year). The situation in 1988 has undoubtedly worsened since the May 1988 coup attempt, when the army's counterinsurgency methods of the early 1980s were reintroduced. Disappearances have increased, killings continue and relocation into model villages is still the normal method of mass population control.

There are now well over 120,000 refugees in Mexico, and in spite of difficult conditions there, 95 per cent choose not to return to Guatemala. This is in spite of the government's repatriation programme, which is generally recognised to provide inadequate protection for returnees.

At the end of November, 1987, 22 Cakchiquel Indians were captured and killed after being tortured. On June 14th, in 13 areas of Quiché, there were public denunciations against the army which has been forcing people to provide provisions and labour and conscripting men to join the civil patrols in violation of Article 34 of the constitution. In May two brothers Mendoza were abducted by the head of the civil patrols in Huehuetenango, and later, on July 4th, a 21 year old Canjobal Indian was abducted from her village in the same area, detained and tortured.

A programme to spray Indian areas with toxic chemicals such as ethylene dibromide (EDB), which has been banned in the USA, has been organised to destroy supposed marijuana plantations in the highland areas. Two governemnt military operations, one at the end of 1987, "Offensive End of the Year" and, between February and June 1988, "Offensive Firmeza", bombed communities throughout the areas of conflict. 14 people have already died from drinking contaminated water and crops and livestock of the indigenous inhabitants of the area have been seriously affected.

In **Belize**, there is growing unemployment among the indigenous Maya and agricultural activities have been affected by problems in the national economy.

The International Fund for Agricultural Development has been trying to encourage indigenous farmers away from slash and burn agriculture towards cash-cropping. They have also insisted that in order to benefit from their project, indigenous Maya will have to enter into private property ownership of land and abandon their Cultural Homeland proposal.

At the beginning of July, about 100 soldiers from the Cuartel Atonal Army Garrison of **El Salvador**, entered the indigenous community of Canton Las Cruces in Usulutan Province. They arrested five members of the National Association of Salvadorian Indians (ANIS), which represents 45,000 Lenca, Maya and Nahuat people. The leaders were released on July 7th after they had been tortured. Two weeks later two members of ANIS were taken from their homes and murdered.

In the atmosphere of increasing violence, the Salvadorian Supreme Court has dismissed charges against the military responsible for the mass killing of 74 indigenous people at Las Hojas co-operative in 1983.

An international indigenous meeting held in December had to be relocated because of violence in the area of Perquin.

Already 25,000 refugees have returned from **Honduras** to Nicaragua. Although border incidents have decreased substantially during 1988, there were reports of skirmishes resulting in the deaths of five Honduran Indians in August.

Belize delegation after meeting with the prime minister, 5th February, 1988 (photo: Toledo Maya Cultural Council)

-UC: 70

In the Department of Yoro, 23 indigenous members of the Xicaque people were arrested by the Public Security Force (FUSEP) after a request from a landowner F. Zúñiga. During 1988, a legal project for the protection of the indigenous peoples of Honduras was prepared.

After years of armed conflict between government troops and various Indian guerilla groups in **Nicaragua**, the Minister of the Interior and in charge of the Atlantic Regions in the central government, Tomás Borge, declared in October 1988 that "the war on the Atlantic Coast is over". All restrictions of free movement in the area were suspended. Another dramatic event in 1988 was when hurricane Joan caused severe damage, including close to total destruction of Miskitu villages in Pearl Lagoon and Rama villages south of Bluefields. About 14,000 homes were totally destroyed on the Atlantic Coast.

The preparation of regional autonomy has advanced and elections of regional councils are scheduled for 1990 together with the national elections. State enterprises are being transformed into regional enterprises and revenues will be reinvested in the regions under supervision of the regional authorities. Within the regions, the individual communities will exercise control over economic

Panamanian Indigenous Delegates at the UNWGIP, 1988 (photo: Christian Erni).

resources and delegate representatives to the regional councils in Puerto Cabezas and Bluefields.

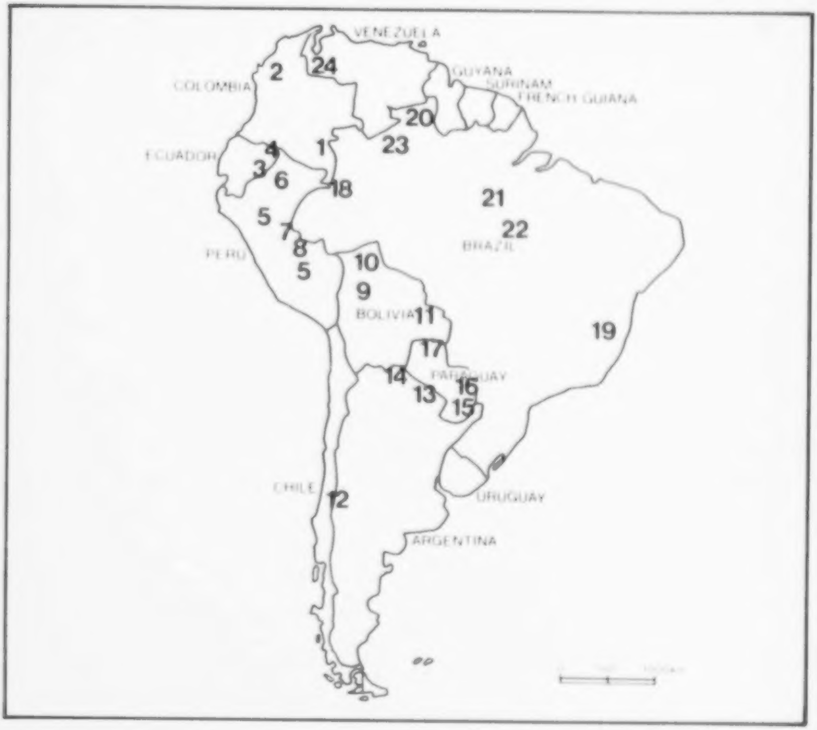
As in Nicaragua, hurricane Joan caused untold damage in **Costa Rica**. Many people tried to avoid the impact of the storm by moving, but nevertheless the result has left thousands of people in need of support and credit to start a new life, to sow their fields again and begin reforestation after the devastation. This devastation will increase pressure on the indigenous peoples of Costa Rica who are trying to protect their recognised rights to lands in the face of colonists and international timber companies.

In May 1988, the United States failed to overthrow General Manuel Noriega's power hold over **Panama**, but economic sanctions had a strong impact on the indigenous peoples of the country. In the context of monetary stagnation, mass unemployment and lack of facilities affected the Kuna, Guaymí and Embera.

There are currently two proposals for laws defining Comarca territories for the Guaymí and Kuna in Mandungandi, even though both have drawbacks in comparison to the demands of the inhabitants of the area. The Guaymí's position is particularly difficult because international companies, land owners and cattle ranchers have the support of the state. The representatives of these peoples at the UNWGIP in Geneva, 1988, demanded that the proposals be withdrawn and that a proper consultation be organised. Meanwhile, the Embera still have not had their Comarca demarcated even though it has been legally approved.

Sources: Americas Watch Report, Amerindia, Cultural Survival Quarterly, Hans Petter Buvollen (on Nicaragua), IPS, Survival International News, SAIIC Newsletter, Statements to the UNWGIP, WCIP Newsletter.

Map of South America



Population: Lowlands over 1 million
Highlands over 19.5 million

Key:

1. *Macu-Nukak*
2. *Embera*
3. *Huaorani*
4. *Quichua/Siona/Secoya/Cofan*
5. *Quechua*
6. *Aguaruna*
7. *Yanesha*
8. *Matsigenka/Piro/Nahua*
9. *Aymara*
10. *Chiname*
11. *Yuqui*
12. *Mapuche/Peluenche/Huilliche*
13. *Toba*
14. *Kolla*
15. *Mbya*
16. *Pai Tavytera*
17. *Ayoreo*
18. *Tikuna*
19. *Pataxo Ha-Ha-Hae*
20. *Makuxi*
21. *Kaiapo*
22. *Ava-Canoeiro*
23. *Yanomami*
24. *Barí/Yukpa/Wayuu*

> A characteristic of the indigenist government policies of the Amazonian countries is the lack of attention and resolution of the problems on our lands. This is creating uncertainties over the law of possession. From the top the governments are planning the expropriation, exploitation and invasion of indigenous territories and threatening our physical and cultural survival.
>
> Statement from the Coordinadora de las Organisaciones Indigenas de la Cuenca Amazonica (COICA) at the UNWGIP, 1988.

1988 has been an extremely violent year in **Colombia**. Hundreds of peasant and indigenous farmers have been killed by drug traffickers, landowners, the paramilitary and guerilla organisations. There are currently nearly 150 private armies operating in the country.

In September, eight Indians were killed in Bocas de Satinga in Southwest Colombia. They were killed by drug dealers who were trying to persuade them to sell their lands. Drug dealers have been terrorising indigenous communities

Huaorani family (photo: Alejandro Hirtz).

more than ever, using hired gun-men and death squads. Also in September, four indigenous members of the San Andreas de Sotavento reserve in northern Colombia were killed by local landowners. 70 Indians have been assassinated during 1988 in Cauca alone.

In April, 41 Macu-Nukak people reached the town of Calamar after walking from the rainforest where they live as nomadic people. They were fleeing from the militarisation of their homeland by the army who have shot at them, poisoned their crops and have done nothing to prevent the incursions of colonists onto their lands.

Over the last year the Embera people from the Choco, who suffered mass killings in 1987, agreed with national institutions to receive support for the reconstruction of their communities. As yet nothing has happened and conditions in the Choco are extremely difficult, particularly regarding health.

The government has continued its suspicion of indigenous organisations and banned a march planned for October 12th which was to take the theme, "meeting between children of new America". 300 children were due to take part in the march and subsequent meeting.

The threats facing the Huaorani of the Amazon of **Ecuador** have been particularly acute during 1988. The exploration of oil on their traditional territories by PetroCanada and PetroBrazil continues and the road, bringing professional land speculators and colonists, now cuts deep into the Huaorani's homeland. The indigenous organisation CONFENIAE, in co-ordination with the Huaorani, began to demarcate their lands in July.

Similar oil explorations affect the Quichua, Sionas, Secoyas and Cofanes. The Cofanes managed to block a road being built by Texaco in January in order to present their demands for compensation. They called off the protest, but have received no response to their demands.

Meanwhile the other problems in the Ecuadorian Amazon have not abated. The African palm exploitation in Quichua territory is still placing 200,000 hectares of indigenous land under threat and polluting the rainforest.

The government of Ecuador changed in August from that of the authoritarian Febres Cordero to the more populist Rodrigo Borja. His more open government is tempered by strict austerity measures. There seems to be no immediate effect on the plight of the highland peoples of Ecuador who are still migrating to the urban areas in order to seek a livelihood. The lack of implementation of the Agrarian Reform protection for indigenous lands has meant that land speculators are still moving onto community territories, although there are hopes that the new government will take another look at land titling in the Amazon.

During 1988, **Peru** underwent a particularly acute economic crisis. In September inflation suddenly rose to 300 per cent pricing almost all basic goods out

Highland Indians plant lettuces in Chucuito, Peru (photo: ILO).

of the market. President Garcia temporarily went into "hiding" in the provinces and there were strong rumours of the possibility of a military coup.

Information on the military situation has been largely by word of mouth as the government will allow practically nothing published on the activities of the main guerilla organisations, Sendero Luminoso and the Movemiento Revolutionario Tupac Amaru.

The fighting between the government and guerilla forces in 1988 has been worse than for 10 years. On May 14th, 28 indigenous people from the Andean village of Cayara and, on June 14th, community members from Cuticsa village in Huancavelica were killed by the military. Estimates of Peruvians killed in the fighting in 1988 are as high as 6,000. Sendero Luminoso is in control of large areas of the country now in both the highlands and central jungle (Ocopa, Satipo and Atalya) while MRTA are in Chanchamayo.

In the north and central jungle, the cocaine mafia controls areas and collaborates with the guerillas. A critical area is the northern rainforest where the Huitoto are seriously threatened and many have been killed at the hands of the traffickers. Similar reports come from the central lowlands.

In the north during 1988 there have been invasions of gold colonists resulting in the depopulation of the Aguaruna community of Chimacora. Among the Yanesha (Amuesha) the Israelitas sect has entered and taken lands from communities in Huacamayo and Cira in Pachitea. After the local indigenous organisation FECONAYA protested at this, the secretary general, Pedro Joaquin Bernia, disappeared.

In the southern rainforest there has been an increase in the exploration by Shell in the southern Camisea region. This has affected Matsigenka and Piro communities with land invasion, sickness, (particularly malaria) and environmental degradation from increasing pressure on forest resources. The recently contacted Nahua are also in the same area. Estimates say that they have already lost 50 per cent of the population from contact with lumber workers and oil explorers since 1984.

IWGIA Protest: Telegram sent August, 1988 to the Peruvian President

IWGIA deeply concerned at the current oil explorations taking place in the Urubamba region of the Peruvian Amazon STOP In the proposed "licitación pública internacional" we urge the appropriate authorities of Peru to insist on precise clauses asafeguarding the ecology and rights of the indigenous peoples of the area STOP We also note with concern that as yet nothing has been done to support or compensate communities which have been harmed by the explorations of Shell STOP We back all demands that Shell transfers its camps from indigenous territories and express our solidarity with the current national and international campaign against the abuses of oil exploration in indigenous territories of the Peruvian Amazon STOP Signed Board and Directors of IWGIA.

The government of **Bolivia** has been continuing its New Economic Plan of Austerity which was established in 1985. Three quarters of Bolivia's population are malnourished and life expectancy is only 48 years. With 25 per cent unemployment and drastic cuts in state spending, the indigenous population of the country suffer many difficulties. Since 1987, 23,000 of the 30,000 state miners have been sacked and relocations and repression have been used to defeat opposition. In addition an estimated 50,000 unemployed peasants are moving to the rainforest in order to look for a livelihood. The burning of the forest and the social problems of these relocations are literally clouding the future of the lowlands.

There have been two "states of siege", in 1988. In Potosi, in April, 80 people were injured when police attacked a demonstration. Highland areas have been the scene of violence, such as the town of Achacachi where on August 31st, five peasants disappeared. Most of the violence has been in the coca growing areas of Chapare where more than 12 farmers have been killed in the last 18 months. The coca trade employs 15 per cent of Bolivia's labour force now. Government tactics of crop substitution are not working as the alternative crops to coca, such as fruit or vegetables, do not bring in nearly as much profit. A particularly bitter blow came in 1988 when the Bolivian government banned coca growing in Yungas, which is the main area of indigenous traditional coca use. In addition the government is carrying out experiments with herbicides against coca plantations. It is estimated that about 80 per cent of Bolivia's coca production goes on cocaine manufacture.

Bolivia has been the first country to try out the controversial debt swapping scheme. The US group, Conservation International, has bought $650,000 of Bolivia's debt from Citibank for $100,000 and in return, the government promises to spend $250,000 to protect the three million acre Chimane forest in Beni. There are about 4,500 of the Chimane nation remaining and they live in conditions of poverty. The deal is highly controversial and opposition leaders claim that it conceals the sale of the forest to large multinationals. Currently some 175 lumber companies are working in the lowland forest region of Bolivia.

A major problem in the Bolivian rain forest threatens the Mbia (Yuqui). For the last 15 years the 900,000 hectares of Mbia land have been subject to encroachment by colonists. In addition they face the construction of a railway, roads and evangelisation by the New Tribes Mission. Many of the Mbia are being settled by the mission at Chimoré.

> The struggle to liberate we Mapuche is the struggle of all oppressed people who demand justice and freedom. We express our solidarity with all peoples who struggle for their emancipation, and we greet all those who are working for societies which respect rights and the dignity of everyone.
>
> Representative of Ad-Mapu at the UNWGIP, 1988.

On October 4th, 1988, in **Chile**, dictator Augusto Pinochet was voted out of office by a plebiscite. Although constitutionally this marks the end of his rule as from 1989, most Chileans are cautious with their optimism.

The problems facing the Mapuche are based on their rights to land. Since the 19th century the government has been trying to destroy the Mapuche land base by parcelling community lands out to individual ownership. The latest attempt to do this was Decreto-Ley No. 2.568 of 1979.

Land expropriation has been taking place in the south where the Huilliches (southern Mapuche live). In the Upper Bío Bío valley, 10,000 Mapuche from communities in Arauco and Cautín will have their lands flooded by 5 hydroelectric dams. In addition to denouncing the dam, the Pehuenche people (Mapuche living in part of the valley) have been particularly hit by outsiders overharvesting their araucaria plants, on which they subsist.

Communities in Arauco and Cautín have been militarised, particularly Coi-Coi and Miquihue, where 60 hectares of Mapuche land have been taken. There have been attacks on communities such as Loncoyán Grande, Lumaco and Collinque, as well as Tayos Bajos in Valdivia, leaving residents wounded or detained.

Indigenous organisations associated with the political left, such as Ad-Mapu, have been attacked, particularly in the run up to the referendum. Multinationals have been exploiting community lands in the Province of Valdivia and missionaries such as the Summer Institute of Linguistics and the Bahai have been entering and dividing communities.

On the other hand, the Mapuche have managed to recover 2,000 hectares of their lands in the central provinces of Malleco, Cautín and Valdivia.

At first glance, unlike Peru and Chile, **Argentina** has a small number of indigenous peoples (500,000). However these figures are disputed by indigenous and indigenists alike. This is because for many years the concept of indigenous has been officially ignored and greatly disparaged in Argentina. Now things have improved and more indigenous peoples are openly asserting their indigenous identity every year. For this reason the estimates are now reaching as many as one and a half million.

Mapuche family from Cañete (photo: Andrew Gray)

The main problems facing the indigenous peoples of Argentina lie in several areas. Law 23.302 has been seen as largely progressive, in spite of a somewhat paternalistic orientation. The law has still not been implemented by the government which says internationally that it has been promulgated.

Regionally, in the Province of Misiones, the Indian Law is currently under repeal. In Toba territory in the north, the government is currently trying to expropriate the lands of seven communities. In the area of Teuco-Bermejoito in the Province of Chaco the government is attempting to sell 8,100 hectares of indigenous lands. Elsewhere in the north among the Kolla there are frequent clashes with landowners, specifically in the Valles Calchaquies of Tucumán. A particularly brutal case was that in Alto de Anfama where most of the families of the community were dislocated by Dr. Brígido Terán Molina. In the Province of Rio Negro to the south, the Mapuche are fighting for their rights to be recognised in the provincial law.

From 1954 until 1989 the government institutions of **Paraguay** have been under the dictatorial control of General Alfredo Stroessner, even though there is a nominal parliament. In September, 1988, Stroessner suffered a stroke which threw the country into disarray. Rumour and uncertainty abounded (which heralded the 1989 coup). At the same time state repression increased to a level not witnessed for ten years. Three priests were expelled from the country in October, and disappearances are increasing. The main targets are NGOs working with social and human rights.

There are several major problems affecting indigenous peoples in Paraguay at the moment (*see focus section of this Yearbook*). The German Mennonite sect holds considerable power in Paraguay on account of their backing by Stroessner. Over the last three years, the Mennonites from a colony called Sommerfeld have gradually taken away lands belonging to three Mbya communities. At the end of October, an official Mbya delegation presented their complaints to the Parliament.

In the same area, the World Bank has been funding the road paving and colonisation Caazapá project. The affected area (381,600 hectares) will threaten 14 Mbya communities. In June there was a meeting of NGOs from Brazil and Paraguay with consultants from the World Bank. In response the Bank sent an ultimatum to the Paraguayan government stating that unless it provides land titles to the affected communities it will not renew the loan. The problem is that the ex-dictator's daughter currently holds the community lands resulting in an empasse in the negotiations.

In the northeast, the Pai Tavytera have been harassed by colonists seeking lumber from the already denuded forests of their territory. Brazilian colonists are

Declaration of Solidarity with the Indian Communities of Caazapá

Signed by Paraguayn Indigenous and Non-Indigenous Organisations and visiting organisations from Brazil.

We declare our consternation at the grave risk to which the 21 communities of Mbyá Guaraní and Aché Indians are being submitted by the implementation of the so-called "Caazapú Project" co-financed by the World Bank.

In 1982 the Paraguayan government undertook to legalise the landholdings of the Indians living in this region, in accordance with a clause of the financial agreement signed with the World Bank. In 1985, three years behind scedule, the first official study began to diagnose the situation of the Indian lands in the area. A series of different reports followed until 1988.

In spite of these studies and reports, throughout this seven-year period the authorities have systematically ignored the demands of the Indian communities for the legalisation of their traditional homelands following the frontiers they themselves define. The Paraguayan government has proposed areas which are infinitely smaller than those demanded by the Indians, so small in fact that they could not survive in such lands. Almost all the communities are deprived of legalised holdings; they are considered squatters on the vast idle estate of powerful big landowners, estates which under Paraguayan law cannot be expropriated but can only be compulsorily purchased in return for cash payment.

All these facts are occuring in infringement of international accords which Paraguay has ratified; such as Convention 107 of the International Labour Organisation (ILO) refering to tribal populations, a document to which the World Bank is also committed.

Instead of benefitting the Indians, as stipulated under the clause of the project co-financed by the World Bank, the Caazapú Project has aggravated their problems. The communities are now totally bereft of all protection. In spite of the Indians' constant complaints to the administrative and judicial authorities of the Paraguayan state, nothing has been done to prevent invasion of their land and relentless destruction of their natural resources by giant farming and lumbering enterprises, road builders etc.

We hold the Paraguayan government and the World Bank responsible for the imminent destruction of these Indian communities.

entering their lands regularly in order to barter for timber. In August the situation deteriorated when the armed forces entered the Pai Tavytera community of Takuaguy and occupied it in order to take wood from the nearby forest. Tension and protests increased, and there was an armed skirmish on October 3rd after which 7 Pai Tavytera were imprisoned.

A major problem in the west of the country is the work of the New Tribes Mission which has been sending "contacted" Ayoreo Indians to bring "uncontacted" hunters and gatherers from the Chaco into their missions. Reports are still emerging of newly captured Indians dying of disease and culture shock.

In the Chaco area, 75 per cent of the Indians have no lands while in the east 50 per cent have no land titles. Landless Indians usually work in farms or factories where they receive low salaries and live in poor conditions. The situation in Paraguay for indigenous peoples is extremely acute at the moment.

According to figures from the Catholic Church, during 1988, 34 Indians were murdered in **Brazil**. This is three times the 1987 figure. In addition 55 were beaten, 38 shot, 12 were assaulted and 5 women raped. 80 Indians have been detained, 67 forcibly expelled from their communities and 201 dispossessed of their lands. Of the 34 killings, 28 were over land issues and 26 took place in the Amazon.

14 Tikuna Indians were killed and 25 were wounded in an attack which took place on 28th March when lumber merchants' hired assassins attacked an unarmed group at Sao Leopoldo on the border between Colombia, Peru and Brazil. The merchant had just been told to leave Tikuna land on which he had been living illegally. Other Indians under physical threat during the year have included the Pataxo-Ha-Ha-Hae and the Makuxi.

On October 13th, two Kaiapo leaders, Kube-I and Paulinho Payakán, and a North American ethnobotantist, Darrel Posey, were accused of degrading the image of Brazil, when, earlier in the year, they had protested in the USA about the proposed construction of two hydroelectric dams, Kararao and Babaquara, on Kaiapo land. The dams, part of the Altamira complex, will affect 10,000 Indians from 12 communities in the Upper Xingu. During the hearing the judge refused to hear Kube-I because he wore traditional Kaiapo dress. In addition, the judge demanded that the Indians submit to psychiatric tests to see whether they were "acculturated enough to know that they had committed a crime against Brazil".

More dams on the Tocantins river threaten the Ava-Casnoeiro who live in dispersed groups. The electrical company which is building the dams (FURNAS) insists that there are no indigenous peoples in the area. In response to international pressure, the World Bank has suspended its $500 million loan to Brazil until the social and environmental impact of the dams are clearer. Nevertheless, the plans to construct the dams have not been rescinded.

On June 1st, 1988, Brazil's National Congress approved the constitutional chapter concerning indigenous peoples. This was a very positive step as it removed the integrationist and incorporationist language of the previous constitution. However it still has weaknesses in that indigenous peoples are not recognised as nations (as was proposed), and land rights are still not entirely secure. During the November municipal elections, nearly 140 Indians ran for council seats.

The Calha Norte project has continued over the year with the military occupying indigenous lands. In September the government issued Decree 160 which demarcated 19 areas of Yanomami territory (indigenous colonies they are

Paulinho Paiakan. A leader of the Kaiapo Indians (photo: Gustav Verswijver).

termed) outside the area where there are an estimated 40,000 mining prospectors. The same principle of establishing "colonies" has already been in operation among the peoples of the Pari Cachoeira, in spite of indigenous opposition.

Reports from **Venezuela** tell of increasing tension on the western border with Colombia. The drug traffickers now have a considerable hold over the region. This has placed the indigenous Bari, Yupka and Wayuu peoples in a similar position to the indigenous peoples of Colombia, Peru and Bolivia who find themselves caught between the threats of the cocaine mafia and the demands of the military.

At the end of 1987 the Venezuelan government closed a training centre for the New Tribes Mission which is very active in the Amazon region of the country. Concerns that the missionaries had highly sophisticated geological prospecting equipment in an area thought to contain valuable minerals, may have been a factor in the decision. In Yanomami territory there have been reports of an increase in the numbers of Brazilian mining prospectors crossing the border and entering their lands.

IWGIA Protests to the Brazilian President by Telex

IWGIA is gravely concerned at the proposed demarcation of Yanomami lands which was announced publicly by Romero Juca Filho, President of FUNAI, on August 19th, 1988. The Board and Directors of IWGIA are convinced that if this demarcation goes ahead it will have irremediable consequences for the physical and cultural survival of the Yanomami people particularly regarding the following:

– Reduction of Yanomami Territory

The proposed demarcation by FUNAI will reduce Yanomami traditional territory by 70 per cent. Even though the proposal states that the demarcation area will be 8 million hectares, in fact the actual demarcation will cover only 2,435,215 hectares (30 per cent of traditional Yanomami territory). The rest of the area will be set aside for one national park and two national forests (the latter open for exploration and exploitation of the natural resources).

The ethnocidal and genocidal consequences of resource exploitation on the Yanomami in recent decades are internationally known and have been repeatedly denounced before the UN and other international human rights bodies. To make 70 per cent of Yanomami territory potentially available for large scale resource extraction constitutes a conscious policy of genocide and ethnocide by your government.

– Fragmentation of Yanomami Territory

The proposed FUNAI demarcation will break Yanomami territory up into 19 unconnected areas. This fragmentation will prevent the social reproduction of the Yanomami people which is essential for their culture, their traditional economy (hunting and gathering) and the communal undivided use and right to their traditional territories. This territorial fragmentation will irreversibly destroy the historical territorial rights of the Yanomami people.

In view of this IWGIA urges you take the following measures:

a) Not to ratify FUNAI's proposed demarcation of Yanomami territory of August 19th.

b) To consider the demarcation again in the light of Paragraph 2 of Article 231 of the Brazilian Constitution where the integrity of indigenous territorial rights to traditional lands is guaranteed.

c) To make the relevant authorities remove immediately the thousands of mining prospectors (garimpeiros) who are illegally on Yanomami land.

There is currently a movement in Venezuela to have the remains of the Indian resistance hero, Guaicaipuro, and other indigenous leaders, placed in the National Cemetery.

In spite of the return to democracy in **Surinam** in November, 1987, the indigenous peoples of the country are still in difficulty. 26 communities were destroyed in the civil war between Ronnie Brunswijk and the old military dictatorship. There are still 8,000 indigenous refugees in **French Guyana** and Brazil, as well as a considerable number of migrants in the capital of Surinam, Paramaribo.

Sources: Amerindia, Amnesty International, Analisis, Andean Focus, Andean Newsletter, Cultural Survival Quarterly, DIM, IPS, IWGIA information, Latin American Press, Porantim, SAIIC Newsletter, Statements at the UNWGIP, Survival International, Voz Indigena, WCIP Newsletter.

Map of The Pacific

Island Population: 15 million

Key:

1. Native Hawaiians
2. Tahitians
3. Kiribati
4. Cook Islands
5. Tonga
6. Belau
7. Marshall Islands
8. Marianas
9. Guam
10. Kanaky
11. Fiji
12. Vanuatu
13. Papua New Guinea
14. West Papua

> For the indigenous Hawaiians "development" is the deliberate process of exploitation at the expense of their heritage and their environment, facilitating a smooth path to the ultimate goal of total ethnocide by the colonial powers.
>
> Pacific Concerns Resource Centre – Action Alert

Throughout 1988 the people of **Hawai'i** have stepped up their demands for substantial land and resources rights, recognition of native Hawaiian government, access to beaches and religious freedom.

The 11 year movement to stop the bombing of the sacred island of Kaho'olawe has continued its activities, including international campaigns and visiting the island in January and October to mark the season of Lono, god of peace, agricultural fertility and rain.

Since March, 1987, about 1,000 bodies of Hawaiians have been exhumed so that a hotel can be built. Native Hawaiians are outraged that the firm, Paul Rosendahl and Associates, can make $4 million by desecrating burials in Honokahua district.

A new Geothermal development is underway on Big Island. The plans include a missile launching facility, a metal smelting plant and a resort. The

Demonstrating against the Militarisation of Hawai'i (photo: Hawaii Herald).

detrimental environmental and social impact of the scheme will encourage yet more development on Big Island.

One hundred years ago **Rapa Nui** was taken over by Chile according to an agreement whereby the islanders would be offered educational and other facilities and their lands would be respected. However, the indigenous population were herded into reservations at the end of the 19th century. In spite of repeated requests and complaints, these territorial rights have not been respected and military stations have been constructed on indigenous lands.

On March 16th, 1888, France forcibly annexed Tahiti, part of **French Occupied Polynesia**. In spite of resistance, the islanders were eventually forced to surrender their arms. One hundred years later, the Mayor of Tahiti, Monil Tetuani, gave a speech explicitly drawing attention to French colonialism and calling for indigenous land rights.

The French government on Tahiti has shifted from the policies of its last conservative leader Gaston Flosse (currently under investigation on corruption charges) to the more liberal Léontieff, who is the new President. Fearing severe consequences for the future of the Amoruroa Atoll, where nuclear testing usually takes place in Tahiti, the French government have plans to bomb Fangataufa, 40 km. from Moruroa. Other problems facing the Tahitians apart from nuclear testing are immigration and land commercialisation.

Kiribati, or Christmas Island, was the site of nuclear testing by Britain in the 1960s. The indigenous inhabitants were not only exposed to the original tests, but now there is evidence that radioactivity has seeped into the water used by the islanders.

In 1988, the Prime Minister of the **Cook Islands** made it known that his government is prepared to permit US nuclear warships enter its harbours. In spite of its close ties to New Zealand, Cook Islands continues its close contact with the government of France, which is furthering its interests in the area.

During 1988, an attempt by the US to sell toxic waste to **Tonga** failed. Many reporters have noted that the successful suing of the Tongan government by a civil servant, who was dismissed for making critical comments, has opened up public life on the monarchical islands.

Since 1979, **Belau** has had an anti-nuclear constitution which has prevented the imposition of a Compact of Free Association with the United States. This means that for the time being Belau can remain an anti-nuclear zone, in spite of 10 referenda organised by the United States to force a constitutional change. The United States would like its nuclear powered vessels to dock in Belau and use land for military bases.

On August 29th, the Supreme Court of Belau upheld a decision made on April 2nd in favour of the matriarchs of Belau. They succeeded in persuading the court to declare the result of the referendum held in August 1987 null and void and to uphold the constitution of Belau.

Meanwhile, in the United States Congress, a Delugo Compact Bill seeks to offer the islanders $35 million to sign a new Compact. However, the bill deals with financial matters and does not touch the crucial issue of land rights and sovereignty.

After the death on August 20th under mysterious circumstances of Belau President Salii, an election took place in November which was won by Mr. Etpison by only 39 votes. The new President campaigned to continue largely the policies of his predecessors.

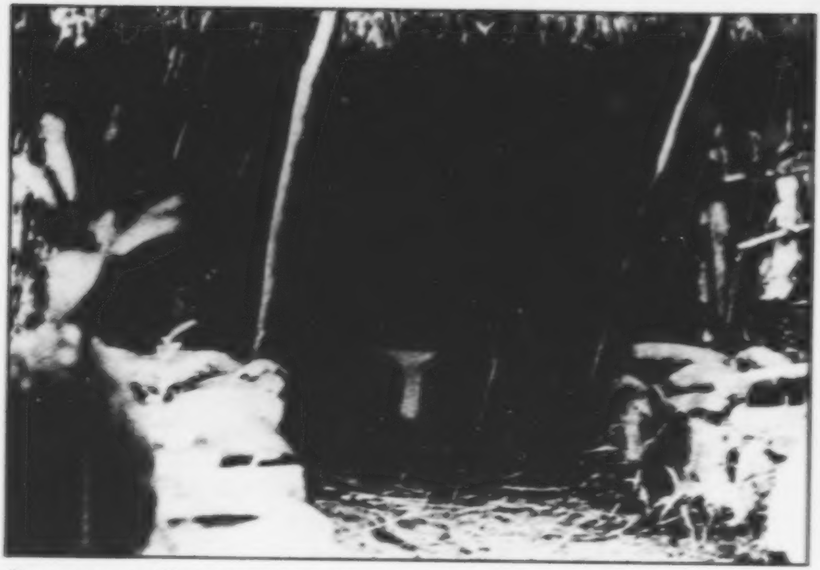
Fears that both Japan and the United States will start dumping waste north of the Marianas is rising. A company, Admiralty Pacific, is currently planning to dump three and a half million tons of solid waste in Taongi Atoll, **Marshall Islands**. Meanwhile a recent report (Kohn Report) is advocating a return of the people of Rongelap to their original island, even though parts of the area are still affected by radioactivity and food would have to be imported. In Kwajalein, the US government is planning to set up its new Star Wars testing programme.

During 1987, the **Marianas** government set up a Task Force to look into the Termination of US Trusteeship. On basis of this enquiry, a testimony was made to the UN Trusteeship Council. It states that when the Marianas voted in 1976 to become a member of the US Commonwealth, they were not prepared to be run as a US colony, but wanted their own self-government and constitution.

As an incorporated territory of the US, the indigenous Chomorro people of **Guam** have one third of their territory under military use. Much of Guam's culture has been denied to its inhabitants, who only recently have been allowed to speak their language at school.

In **Vanuatu** during May 1988, riots in the streets arose over a question of land alienation by the government. This was the occasion for a new challenge to the Prime Ministership of Fr. Walter Lini by his rival, Tourist Minister, Barak Sope. The challenge has had a direct effect on the fate of West Papuan exiles in Vanuatu. In 1983, when he was Minister of Education, Barak Sope personally ensured the safety of several West Papuan exiles, all of whom have had their permission to remain in Vanuatu withdrawn. This, according to Lini, does not deter from Vanuatu's support for West Papuan independence.

At the same time a fishing treaty with the United States organised in June stands to provide the US with access to fishing rights in the South Pacific 200 mile fishing zones in return for $60 million.



Entrance to a Kanak "Talking House" (photo: Diana Vinding).

> Beyond the difference of viewpoints, the unity remains, based on our common objective – KANAKY. This unity takes into account the reality of the Kanak culture – we are united, but we like very much to point out the differences we have.
>
> Jean-Marie Tjibou at the December 1988 National Liberation Fond for Kanak Socialism (FLNKS) Congress in Kanaky

The early part of the year was dominated by the Kanaks who held 27 French policemen hostage on Ouvea island, **Kanaky** (New Caledonia), at the end of April. Kanaks link the taking of the hostages with the October 1987 acquittal of the killers of 10 Kanaks. French security forces eventually stormed the cave where the hostages were held, killing 19 Kanaks. Proposed elections were cancelled (in fact one of the kidnappers' demands) and the government waited the outcome of the June French elections. The result was a replacement of Gaullist Prime Minister Chirac with Socialist Michel Rochard who immediately pushed ahead with negotiations.

In August negotiations began between the National Liberation Front for Kanak Socialism (FLNKS), the French government and the pro-French settlers. An agreement between the parties divided New Caledonia into three regions, two under Kanak control. In return, France offered a $30 million development programme. Although a wide pardon for Kanaks was agreed upon, this did not cover the total amnesty demanded by the FLNKS. The indigenous movement still wants the French to control immigration and decolonise the territory with a view to Kanaky independence.

Throughout the year there has been growing opposition to a new constitution proposed by the government of Ratu Mara in **Fiji**. Ratu Mara, the current Prime Minister, lost the election prior to the coup of May, 1987. According to the new constitutional proposal, executive power would rest in a President elected by a "college" made up of three aristocratic families. The system would have parallels with that of Tonga. Meanwhile the Great Council of Chiefs of Fiji is to be streamlined from 200 to 52 members.

Disturbing reports during the year show of an increase in the number of logging companies developing timber resources in **Papua New Guinea**. This is having a detrimental effect on the environment and threatens crises in future years. Attempts to dump waste in Papua New Guinea, appear to have been foiled for the time-being.

During 1988 there have been several incursions by the Indonesian Armed Forces from West Papua into the territory of PNG. Several attempts have been made to solve the border conflict, including the setting up of consulates in the two halves of the island.

On May 2nd the Papua New Guinea authorities began to move 800 West Papuan refugees from Blackwater Camp in Vanimo to Kiunga in Western Province, from where they were to go to East Awin (by March there were 2,000 refugees living there in eight camps). The reason for evacuating Blackwater Camp has been Papua New Guinea's fear of Indonesian border incursions after violence within the Arso IV transmigration site near Lake Sentani on March 11th. This was an internal fight between local transmigrants and others from Sulawesi, but for a period it was presumed to be the work of the Free Papua Movement (OPM).

Disturbing reports from **West Papua** continue to filter from the Indonesian occupied country. Evidence of the Indonesian Armed Forces using the facilities of the Catholic aircraft company, Associated Mission Aviation, emerged in October. Papuans are being forced to live in "mission camps" and have their movements in the interior completely controlled by the army.

Between March and June 1988, fighting between the Indonesian Armed Forces and the OPM increased in the vicinity of the Sarmi sub-district, west of Jayapura and in the highlands. Reports show how work on the Indonesian transmigration programme is being taken over by foreigners and that Javanese settlers are being brought into areas where West Papuan resistance is strongest, thereby displacing indigenous West Papuans. Transmigration is continuing steadily but at a slower rate than the Indonesians have predicated; they wanted to move 650,000 into the country from Java, Bali and East Nusa Tenggara.

Transmigrants currently live in seven West Papuan districts. With the recent privatisation of transmigration about 3,700 families are expected to have moved to West Papua by the end of 1988. The majority of these are self-supporting "swakarsa" migrants. There are plans afoot to seek World Bank support for these private transmigrants, thus providing an international sponsorship for those people whom the Indonesian state will not move. The previous World Bank support for government sponsored transmigrants was severely cut after international protest and consistent reports of the programme's failure.

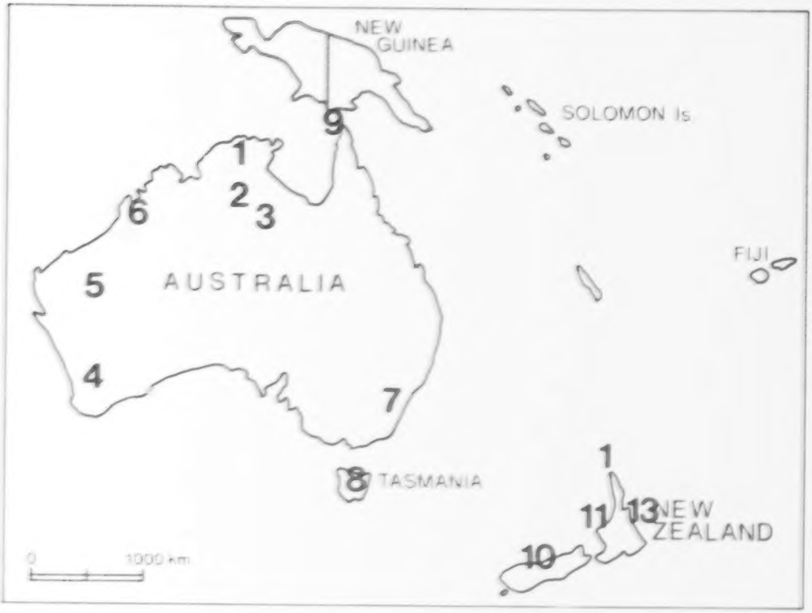
A recently reported development in West Papua has been a planned eucalyptus plantation in Merauke financed by Indonesia and the United States. The effects of the project will be to uproot indigenous inhabitants and destroy the local environment through excessive water absorbtion and loss of nutrients in the soil. Other developments plans include a massive wood exploitation plan by Scott paper.

Sources: Bulletin of Women Working for a Nuclear Free and Independent Pacific, Council of Chiefs: Rapa Nui, Cultural Survival Quarterly, ICCO, Pacific News Bulletin, Tapol Bulletin, The Observer, Third World Network.

A transmigration site in West Papua (photo: TAPOL).

Indonesian Troops in West Papua, a threat to Papua New Guinea (photo: TAPOL).

Map of Australia and Aotearoa



Australian Aborigine Population: 250,000
Aotearoan Maori Population: 350,000

Key:

1. Barunga, Northern Territory
2. Warumungu
3. Wakaya/Alyawarre/Waripiri
4. Swan Valley
5. Rudell Valley
6. Broome
7. New South Wales
8. Tasmania
9. Torres Straits
10. Ngai Tahu claims
11. Taranki
12. Murihuena
13. Ngaitamarawaho

AUSTRALIA AND AOTEAROA

> It is important that white Australia and the world know and understand what they're commemorating is the beginning of the disruption of our way of life. The problems created by that original invasion have not been resolved. But, in spite of that, we have survived.
>
> Gary Foley, Aborigine Leader

1988 began for the Aborigines of **Australia** with mourning ceremonies, which recorded the 200 years since the first colonisation of the country. On January 26th, Aboriginal people from all over the country demonstrated in Sydney for their basic rights to land. At this historic event, 15,000 Aborigines asserted their sovereignty in a march which engulfed the city.

Aboriginal Elder (photo: Aboriginal Archive)

Meanwhile the government had made some positive approaches to the Aborigines. In December 1987, Aboriginal Affairs Minister, Gerry Hand, made a statement called "Foundations for the Future" which proposed to recognise Aboriginal prior ownership of Australia and the organisation of 28 regional councils throughout the country. The whole proposal would be encapsulated in a Treaty which would be drawn up after a massive consultation with the Aboriginal people as a whole, under the co-ordination of a group of leaders.

Aboriginal reaction to the proposal has been cautious, but not entirely negative. The reinstatement of inalienable freehold title onto the agenda has been welcomed, but in the preamble to the proposal there is reference to "extinguishing claims" which has caused some concern. At a June meeting in Barunga, Northern Territory, the Prime Minister, Bob Hawke, reiterated his commitment to the proposal setting out five points of priority. The Aboriginal delegation set out their declaration at the same time (*see accompanying texts*). These two positions are a starting point for future discussion and consultation.

The Royal Commission into Black Deaths in Custody has been looking into over 106 deaths of Aborigines after arrest. The Commission's task was so great that Chairman Justice Muirhead sought an extension of its time limit and an increase in personnel to help him evaluate the material he is receiving. In June, Judge Muirhead made several interim statements pointing out that the worst areas for Black Deaths in Custody are Western and South Australia. He pointed out that there were far fewer deaths in areas such as Northern Territory where Aboriginal peoples have greater control over their territories.

During 1988, the Northern Territory has tried to bring in two pieces of legislation affecting Aborigines. One was to tighten up police laws and the other, a discussion paper, proposed converting pastoral leases from lease to freehold. This would prevent many Aboriginal peoples crossing their own traditional land. On July 9th, the Aboriginal Land Commissioner, Mr. Justice Maurice, delivered his report on the Warumungu Land Claim. He recommended 6,400 sq.km. of the land out of a total claimed of 11,720 sq.km. The area was welcomed by the Warumungu themselves, but has been tempered by the exclusion of land belonging to the Wakaya, Alyawarre and Warlpiri peoples. In November, Jerry Hand agreed that Katherine Gorge be recognised as belonging to the Jawoyn people under freehold title. After the repeal of the Northern Territory Land Rights Act in 1987, the Aborigines managed, at the last minute, to preserve their control over mining on their lands. Since then traditional owners have entered into well over 20 agreements with companies and refused about the same number. All together there have been more than 70 cases under discussion.

In Western Australia, two land questions which caused concern in 1987 continue to threaten the Aboriginal owners. In Swan Valley, fringe-dwellers ap-

The Barunga Statement

We, the indigenous owners and occupiers of Australia, call on the Australian Government and people to recognise our rights:

- To self-determination and self-management, including the freedom to pursue our own economic, social, religious and cultural development;
- To permanent control and enjoyment of our ancestral lands;
- To compensation for the loss of use of our lands, there having been no extinction of original title;
- To protection of and control of access to our sacred sites, sacred objects, artef acts, designs, knowledge and works of art;
- To the return of the remains of our ancestors for burial in accordance with our traditions;
- To respect for and promotion of our Aboriginal identity, including the cultural, linguistic, religious and historical aspects, and including the right to be educated in our own languages and in our own culture and histori;
- In accordance with the universal declaration of human rights, the international covenan on economic, social and cultural rights, the international covenant on civil and political rights, and the international convention on the elimination of all forms of racial discrimination, rights to life, liberty, security of person, food, clothing, housing, medical care, educatin and employment opportunities, necessary social services and other basic rights.

We call on the Commonwealth to pass laws providing:

- A national elected Aboriginal and Islander organisation to oversee Aboriginal and Islander affairs;
- A national system of land rights;
- A police and justice system which recognises our customary laws and frees us from discrimination and any activity which may threaten our identity or security, interfere with our freedom of expression or association, or otherwise prevent our full enjoyment and exercise of universally recognised human rights and fundamental freedoms.

We call on the Australian Government to support Aborigines in the development of an international declaration of principles for indigenous rights, leading to an international covenant.

And we call on the Commonwealth Parliament to negotiate with us a Treaty recognising our prior ownership, continued occupation and sovereignty and affirming our human rights and freedoms.

Statement by the Prime Minister

Supplement to Aboriginal Law notes 88/3 ALC Briefing paper, 1988.

1. The Government affirms that it is committed to work for a negotiated Treaty with Aboriginal people.
2. The Government sees the next step as Aborigines deciding what they believe should be in the Treaty.
3. The Government will provide the necessary support for Aboriginal people to carry out their own consultations and negotiations: this could include the formation of a committee of seven senior Aborigines to oversee the process and to call an Australia-wide meeting or Convention.
4. When the Aborigines present their proposals the Government stands redy to negotiate about them.
5. The Government hopes that these negotiations can commence before the end of 1988 and will lead to an agreed Treaty in the life of this Parliament.

pealed for international support when a storm water drain was put down into Bennett Brook, a sacred area. The result is an increase of pollution of the Brook which will eventually effect Swan River, downstream. Rather than recognise Aboriginal rights, the local authorities use the area as a rubbish dump and are planning a housing development there. Further north, in Rudell Valley, where CRA mining company has been looking for a way to mine uranium in a national park containing Aboriginal iands, a false scare of radiation in the water led to an attempt to push the Aboriginal traditional owners from their lands. They refused to move, the scare was proven false and the struggle for Cotton Creek continues. An army shooting training range near Broome, Western Australia uses effigies of Aborigines with an Aboriginal flag on face, chest and genitals as shooting targets.

Aboriginal Children from Mornington Island playing with a turtle (photo: Australierne: Truede Mindretal).

In New South Wales, the Geiner government which was elected in March quickly tried to abolish the Aboriginal Land Rights Act of 1983 (NSW). First it tried to appoint an Administrator and take funding out of the hands of the Land Councils (about 130 in all). In April the NSW Aboriginal Land Councils instigated proceedings against the government and the court upheld the Land Councils' position. At the same time, the NSW government's proposals were lost in the upper house of the State Assembly.

Throughout 1988, Aboriginal people from all over the country have been asserting their rights. In Tasmania, a re-enactment of the first settlers on the island had to be re-routed to avoid Aboriginal demonstrators. It failed to do this and was received with flour bombs and egg throwing by Aborigines. The Torres Straits marked 1988 by demanding independence from the government and although this was dismissed, the Islanders have continued their claim at the Queensland High Court for recognition of their land titles. In December their case was accepted and a 1985 decision to abolish land rights on the Torres Straits Islands was quashed.

> The lynch pin of decolonisation has always been self-determination as the inherent right of peoples. The right to self-determination is as muche the right of indigenous peoples trapped within artificial nation states as it is the right of peoples struggling against external colonial oppressors.
>
> Submission of Maori representative Joe Williams to the UNWGIP, 1988.

The Waintangi Tribunal claims have dominated indigenous affairs in **Aotearoa** (New Zealand) during 1988. Currently more than 150 claims have been lodged with the body which supervises the terms of the Waitangi Treaty of 1840 between the Maori and the British.

Major cases heard in 1988 were the Ngai Tahu claims for crown land covering most of South Island (February) and the Taraniki land and fishing claims which were heard in April. The Taraniki have formed a large independent Maori fishing organisation which by-passes the national fishing industry and works within their boundaries and fishing grounds. In June the Murihuena claim for fishing rights at the tip of North Island produced a report after several year's delibration. The Tribunal recommended exclusive rights to 5000 sq.km. of ocean fishing waters for them. Now negotiations are taking place.

On October 27th, Ngaitamarawaho who were protesting against the construction of the new Tauranga Civic Centre on their land, currently under claim at the Waitangi Tribunal, were evicted by force. The Ngaitamarawaho are in urgent need of support against the mayor and civic authorities who are trying to ignore their claim at the Tribunal.

Telegram of Support sent by IWGIA to Waitangi Tribunal, Dunedin

The International Work Group for Indigenous Affairs (IWGIA) urges the Waitangi Tribunal to rule in favour of the Ngai Tahu Trust Board's claim for compensation for the events which have occurred over the last 100 years in Te Waipounamu STOP IWGIA hopes that Waitangi Tribunal takes advantage of its recently increased powers to ensure some recompense to the Maori people for the suffering they have endured and establish the reputation of the Waitangi Tribunal internationally as an institution which is dedicated to supporting the rights of indigenous peoples STOP.

Telex of protest by IWGIA from Geneva at Government accusations against Maori delegation at the UNWGIP

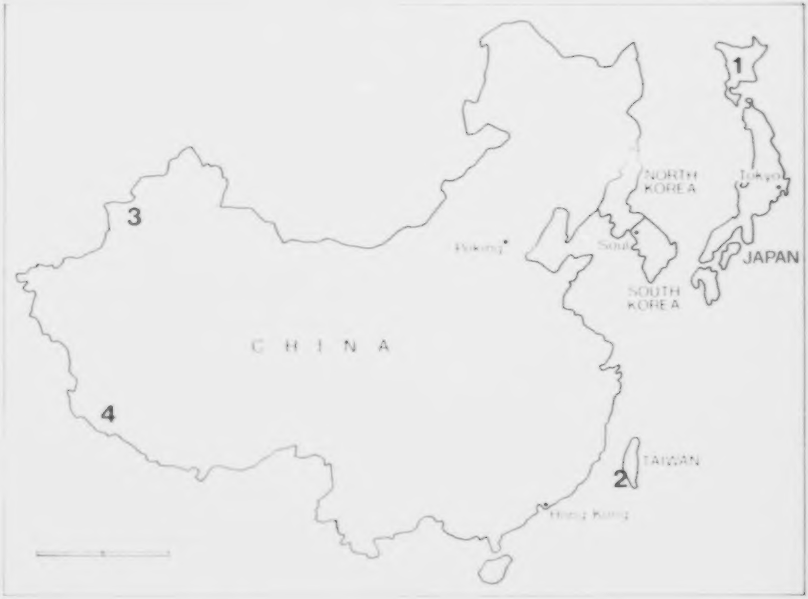
IWGIA is deeply concerned at press reports that you (Minister Peter Tapsell) described Maori statements to the UN Working group on Indigenous Populations as being "near treachery". The Maori participants here have been extremely impressive in their positive contribution to the work of this very important UN body. They have spoken freely and with dignity on their national situation as they see it, as have governments and indigenous peoples who have come here from all over the world. Signed Teresa Aparicio.

After the visit of the Chairwoman of the UNWGIP in January, 1988, the Maori increased their international representation at the Working Group in Geneva, during August. They pointed out that Maori comprise of more than 13 per cent of the population of Aotearoa but face many of the problems of the disadvantaged – higher instances of crime, suicide, infant mortality, school deprivation and adolescent problems. A Maori government Minister described these statements as "near treachery" and himself became the object of international criticism by representatives at the United Nations (*see accompanying text*).

Sources: Aboriginal Law Notes, Land Rights News, Pacific News Bulletin, Stan Pelczynski Information packages, Statements to the UNWGIP, Survival International.

Maori design.

Map of East Asia



Indigenous population of East Asia, 67 million

Key:

1. Ainu
2. Yami
3. Uighur
4. Tibetans

EAST ASIA

> It is Japan's position that the Ainu people have become an ethnic minority within the state of Japan. Moreover the government's welfare policy measures are an extension of the past unilateral assimilationist and protectionist policy that has existed since the beginning of the Meiji Era.
>
> Ainu representative at the UNWGIP, 1988.

The Ainu of **Japan** have increased their international work during 1988. They attended both the ILO Conference revising Convention 107 and the Working Group on Indigenous Populations. At these meetings, they summarised the current situation in Japan by means of six points. Some points are accompanied by examples in italics.

1. The Japanese government has consistently followed an assimilation policy with regard to the Ainu people, and no policy based on the concept of self-determination of the Ainu people has ever been adopted, or even considered by it. *In March 1988, Prime minister Takeshita recognised officially the existence of the Ainu, but made no reference to their demands.*

2. Some restrictions and discriminatory clauses of the ''Hokkaido Former Aborigines Protection Act'', which is based on the policy of assimilation, are still in force. *All Ainu lands are held under control of the governor of Hokkaido and the Ainu have suffered massive land confiscation in the last century.*

3. There are still wide social and economic gaps between the Ainu people and other Japanese people, and the rights stipulated in Article 27 of the UN Convention on Social and Economic Rights are not actually guaranteed for the Ainu people. *For example, there are three times as many Ainu under the poverty line as other Japanese and Ainu traditional hunting and fishing activities are curtailed by national legislation.*

4. Acts of discrimination against the Ainu people, due to their ethnic origin, continue to persist in schools, places of employment, marriages and other aspects of social life, and the Ainu people are forced to live under extremely difficult conditions. *For example, the Ainu language has been prohibited in a private day-nursery in Saru district, Hokkaido.*

5. The Japanese government has never conducted any survey on the Ainu people for the development of their rights and improvement of their social position.

6. The Ainu people strongly demand that their rights be guaranteed and that, for this purpose, a new act legally providing for their right to national self-determination be formulated to replace the ''Hokkaido Former Aborigines Protection Act''. In March, 1988, Prime Minister Takeshita said: ''there is no problem in the present measures for the Ainu people''.

In **Taiwan**, 1988 has seen a furtherance of problems facing the aboriginal peoples of the country. On the Island of Lan Yu, for example, the Yami people are fighting to stop the development of a second atomic waste disposal plant on their territory. The 3,000 Yami are fishing people who say that the existing nuclear waste plant is a threat to their fishing due to its flushing radioactive leakages into the sea. The Yami want the old plant closed and the new plan cancelled.

Aboriginal peoples of Taiwan constitute 2 per cent of the population. Prior to the influx of Nationalist Forces from China, the 10 indigenous peoples made up 98 per cent of Taiwan. The government threats to these peoples stem primarily from land encroachment and cultural denigration. Tourism and prostitution are also major problems.

Demonstration in Tibet, 1987 (photo: John Ackerly/Cultural Survival).

The racial tension in the Xinjiang province of **China** has deepened during 1988. Han Chinese and Moslem Uighurs live largely separate lives in Xinjiang. The Uighurs constitute about 46 per cent of the population of the province, which in the 1930s became a short-lived independent state – the Eastern Turkestan Republic – with backing from the Soviet Union. Since 1946, the Han percentage in Xinjiang has increased from 10 per cent to over 40 per cent; many of these are prisoners or exiles.

1988 has been dominated by events in **Tibet**. Since the demonstrations against Chinese rule in Lhasa in September and October 1987, there have been even more violent confrontations. On March 5th, 1988, the demonstrations resulted in as many as 50 dead and several hundred Tibetans held in detention. Three more demonstrations took place on April 17th, May 17th and May 30th. On December 10th further demonstrations took place in Lhasa, where observers say at least 12 were killed and 300 wounded. Recent figures from China indicate that as many as 600 people may have been killed in the last 18 months in the Tibetan uprisings.

An informal fact-finding visit to Tibet in March/April, 1988, by Lord Ennals and Frederick Hyde-Chambers confirmed human rights violations and raised the worrying problem of the continuing transfer of Chinese into Tibet, who constitute approximately 50 per cent of the population of Lhasa. In another report published in September from The Tibetan Information Office accounts of population control, medical malpractice, violations against religious freedom and racial discrimination are documented along with an estimate of the deaths of one and a quarter million Tibetans over the last 30 years at the hands of the Chinese.

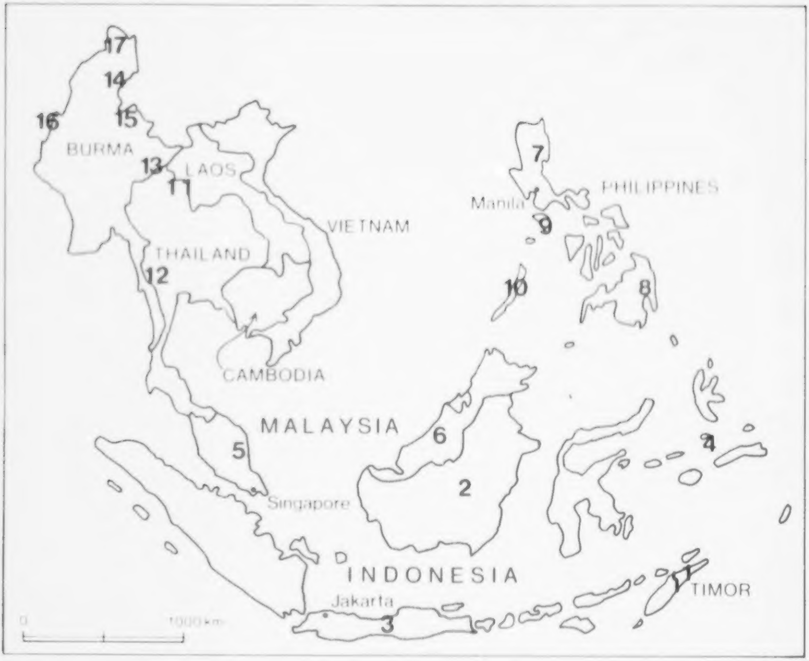
The Dalai Lama's Five Point Peace Plan

1. Transformation of the whole of Tibet into a zone of peace,
2. Abandonment of China's population transfer policy which threatens the very existence of the Tibetans as a people;
3. Respect for the Tibetan people's fundamental human rights and democratic freedoms;
4. Restoration and protection of Tibet's natural environment and the abandonment of China's use of Tibet for the production of nuclear weapons and dumping of nuclear waste;
5. Commencement of earnest negotiations on the future status of Tibet and of relations between the Tibetan and Chinese peoples.

On June 15th, the Dalai Lama visited Europe where he put forward a practical plan for internal self-government in Tibet at the European Parliament in Strasbourg. In October, China showed itself willing to talk to the Dalai Lama and the first round of Sino-Tibetan talks were due to be held in January, 1989, but have been postponed. At the beginning of 1989, the death was announced of the Panchen Lama, Tibet's second most important religious leader after the Dalai Lama. The Panchen Lama has spent most of the last 30 years in China.

Sources: Ainu Association of Hokkaido Statements to ILO and UNWGIP, Asia Watch, Statements to the UNWGIP, Survival International News, Tibetan Review, The Observer.

Map of Southeast Asia



Indigenous population of Mainland Southeast Asia: 15 million
Indigenous population of the Southeast Asian archipelago 15 million

Key:

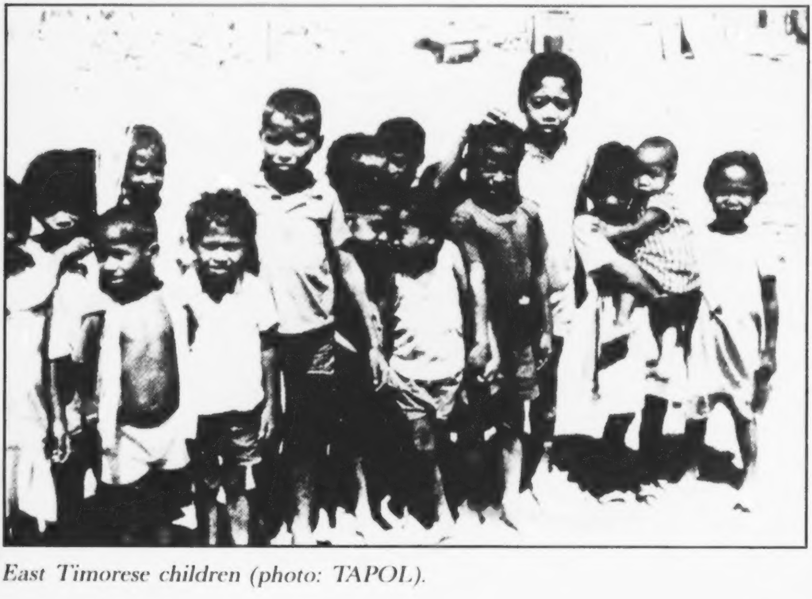
1. *East Timor*
2. *Dayaks*
3. *Kedung Omo, Java*
4. *South Moluccas*
5. *Orang Asli*
6. *Sarawak peoples*
7. *Cordillera people*
8. *Mindanao*
9. *Mindoro*
10. *Batak*
11. *Hmong*
12. *Karen*
13. *Akka/Lahu*
14. *Kachin*
15. *Chan/Wa*
16. *Chittagong Hill Tracts*
17. *Nagaland*

SOUTHEAST ASIAN ARCHIPELAGO

> We oppose this barbaric system and condemn the lying propaganda, according to which human rights violations do not exist in East Timor.
>
> Bishop Belo of East Timor, December 5th, 1988.

Human rights violations in **East Timor** continue, in spite of reports to the contrary. According to sources from the National Convergence (a united political opposition to the Indonesian occupation of East Timor), 2000 people were killed during 1988 in East Timor. The following incidents have been reported internationally. A "clean-up" operation against FRETILIN saw the arrival of 200 Indonesian red-berets at Viqueque in March and operations continued until May. On September 16th, five female students in Natabora were raped and killed by Indonesian troops. Detentions without trial (25 have been made, including a Catholic Priest) took place in July and August. In November, prior to the visit of Indonesian President Suharto to East Timor, 3000 civilians were arrested in Dili. Some of these were subject to torture.

Opposition to the Indonesian invasion continues from FRETILIN, but there is also unrest from two other areas. Students in Dili have demonstrated



East Timorese children (photo: TAPOL).

several times during the year and in the hills a movement with messianic features has arisen called the Saint Anthony's Movement.

East Timor's economy is now being run for the benefit of a few Indonesian monopolies. A recent report from East Timorese Catholic students tells how the coffee growing areas on the west of the island are in the hands of companies under the control of leading army figures, such as the Denok company. According to a survey by TAPOL, all major development projects and important sectors of business are in the hands of companies owned by members of the Indonesian oligarchy, while small shops and even market-stalls are run by Indonesian migrants who have flooded to the urban centres of East Timor.

On December 27th, President Suharto revoked East Timor's "special status" and officially made it the same as the other 26 provinces of Indonesia. In practice this makes little difference to the state of occupation, although the aim is to bring more business in from Indonesia.

Internationally there have been several developments over the year regarding East Timor. In January, 1988, a Dutch MEP visited East Timor and made the statement that there is no human rights problem there at the moment. Grave doubts have been raised as to the accuracy of the information which he was given. Meanwhile, in a 1988 report from the US State Department, there are references to fighting between FRETILIN and the Indonesian Armed Forces, selective and controlled access to areas in East Timor, disappearances, torture, censorship, and forced relocation.

In February, East Timor was raised at the UN Human Rights Commission which responded positively to the Sub-Commission's recommendation to study carefully the human rights situation in East Timor. In May, EEC countries at the ASEAN/EEC Foreign Ministers conference supported the talks between Portugal and Indonesia to find a settlement to the situation in East Timor. On September 15th, the European Parliament, after a detailed report by Ien van den Heuvel, adopted a strong condemnation of Indonesia over its occupation of East Timor. The vote passed in spite of appeals from four MEPs who visited East Timor for 48 hours in June.

In September, the non-aligned movement met in Nicosia, Cyprus, where Indonesia made another futile bid to lead the movement. Yugoslavia won the seat and Indonesia withdrew its candidacy as it did not receive enough support. After 9 years of negotiations, Australia and Indonesia made a preliminary agreement in September for a zone of co-operation for the exploitation of oil in the "Timor Gap" between East Timor and Australia.

International criticism of **Indonesia**'s transmigration programme has continued throughout 1988. The government has been trying to get World Bank support to subsidise self-supporting "swakarsa" transmigrants with credit.

There has recently been a shift of focus with transmigration from food crop sites to plantation agriculture, particularly the PIR (Smallholders Nucleus Estate) sites. An especially bad example of PIR Nucleus estates has taken place with the Dayak people of Central Kalimantan who signed away their land and gave their labour to a plantation project. The result has been a massive loss of income, food shortages and loss of social facilities as the project failed. Forest fires in Kalimantan have continued after the massive destruction in 1982/3 when 3.6 million hectares were lost. Transmigration and logging have been major contributors to hazards of forest fire.

At the end of 1988, 8,000 villagers are refusing to move off their lands which are being flooded by the Kedung Ombo dam in Central Java, 74 per cent of which is being funded by the World Bank. Other problems in Indonesia include massive deforestation (one million hectares annually) and a gold rush which has resulted in the eviction of villagers from Lebong Tandai.

In the South Moluccas the indigenous population remains under the control and threat of the military. With the economy in the hands of a few monopolistic groups and inadequate medical care, the problems facing the Moluccans have not improved. South Moluccas is the only Indonesian eastern province of the New Order era without an indigenous governor, but is under control of an army officer, Major General Sebastian Soekoso. Student unrest has increased during 1988. On April 25th, 1988, on the commemoration day for South Moluccas, some people raised the Republic's flag. This incident was followed by a mass arrest and torture.

Malaysia is at the centre of the present destruction of the rain forest ecosystems. Malaysia is the world's main producer of tropical timber (30 per cent of the total) and Japan the main importing country.

In West Malaysia there are about 60,000 Orang Asli (Aboriginal Peoples) who belong to 19 groups. Orang Asli live in reserves on their lands, but the state has the power to revoke these. The threats facing them at the moment come from logging, colonists and plantations.

In Sarawak, one third of the forest has already been logged, depriving the indigenous peoples of their means of subsistence. If the logging rate continues as it is, another 20 per cent will have been logged in 10 years. Three-fifths of what is left of the forest today is licensed out for logging without any attempts to ensure the Sarawak indigenous peoples' (Orang Ulu) rights to land.

The Orang Ulu include the Kayan, Kenyah, Kejaman, Kelabit, Punan Bah, Tanjong, Sekapan, Lehanan and Penan peoples. For those communities whose lands have been invaded by timber companies there are no more materials to build their homes, no more wild game and edible plants. For hunter-gatherers

Logging in Sarawak (photo: R. Gerster/SAM).

like the Penan, the logging will ultimately lead to the destruction of their livelihood and their way of life. Their children are suffering from malnutrition and disease, aggravated by consuming water contaminated by the logging industry.

In 1988, the Orang Ulu put up blockades across logging roads, and thus prevented logging on their customary lands and forests for 7 months. In October the blockades were forcibly dismantled by the police, but later in the month the Penan again set up two of the wooden barricades in spite of heavily armed troops entering their settlements to frighten women and children. Between November 29th 1988 and January 21st 1989, 122 Penan and 6 Kelabit were arrested. They were arrested under a new law passed in 1987 which makes interference with logging a criminal offence, even though concessions have been granted on indigenous territories.

In spite of the indigenous peoples' right to customary lands and Sarawak's constitutional obligations (Article 161A (5)) to reserve land for the natives of the state, forest areas proposed and demarcated as Communal Forest Reserves have been logged by companies. In spite of government claims that indigenous slash and burn agriculture harms the forest, a study from the University of Malaysia shows that logging damages 72 times as much primary forest as shifting cultivation.

> We cannot hope to achieve genuine self-determination and true recognition of our right to our ancestral domain under this government. Pablo Santos, Aeta, Secretary-General of the National Federation of Indigenous Peoples of the Philippines (KAMP).

Throughout 1988, indigenous communities in the **Philippines** have been under threat more than ever. More than any other government policy, the "total war" declared by the Aquino administration against communist-led insurgency has been devastating for the indigenous peoples of the country. Scores of military offensives have targetted indigenous areas, and massive air strikes have been used on an unprecedented scale. Since Aquino came to power three years ago, over 16,000 families of indigenous groups have been displaced by military operations.

Three areas have been of particular concern:

1. The Buhid, Hanunoo and Iraya Mangyan from the interior of Mindoro, from Mt. Halcon to the Oriente region, had their villages attacked in February, March and April, causing 4,000 refugees to flee to local mission stations for protection and food. The bombings continued later in the year and there have been reports of further attacks on communities in 1989.

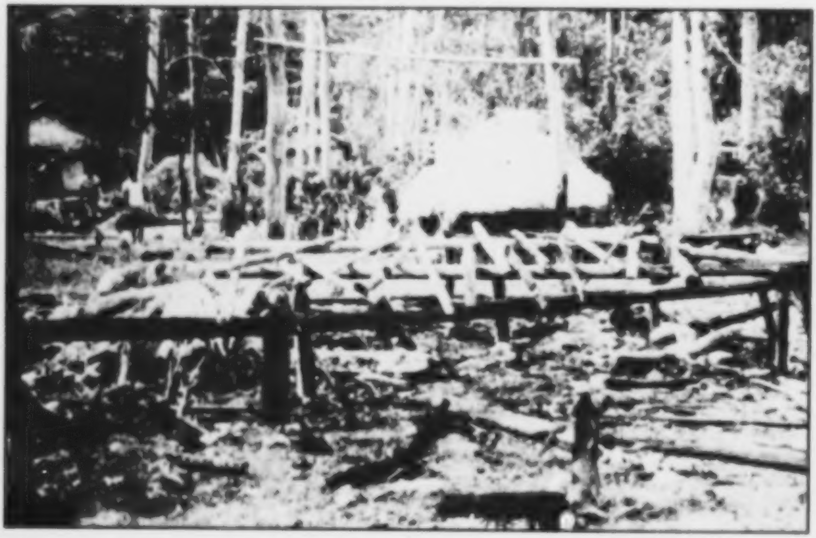


Photo showing the effects of the March 2nd bombing in the Philippines, 1988 (photo: Danilo Geiger).

2. The area of the Higaonon in the mountain areas of Tungao and Buenavista of Mindanao were subject to military operations against their communities between May and July. More than 2,000 people have been dislocated and 13 communities are on the brink of starvation. Confirmed reports say that the shelling lasted for 37 days and was accompanied by a food blockade aimed at the guerillas. Nevertheless, Higaonon leaders suspect that the attacks were intended to intimidate them for their longstanding resistance against a big logging company which is ravaging their forests.

3. In the northern subprovince of Apayao, Isneg villages continued to be targets of military operations working in support of logging companies. Another problem for the communities has been the increased activities of the Cordillera People's Liberation Army under Conrado Balweg. His organisation has been fighting with the Philippine army against the communities of the Cordillera. The killing of two development agency workers, Ferdinand Braga and Roberto Estimada, in Bontoc in the Cordillera on 21st July, have been attributed to the CPLA.

Large scale development projects have persisted under the regime of Corazon Aquino. For example the Kaliwa-Kanan dam in Rizal Province threatens to displace about 450 Remontado and Dumagat families for the sake of Metro Manila's water supply. Bagobo and Manobo communities on Mount Apo in Mindanao fear the intrusion of the Philippines National Oil Company on their ancestral lands.

1988 saw the rehabilitation of Manuel 'Manda' Elizalde, the controversial head of the discredited Presidential Assistance on National Minorities (PANAMIN). His campaign to re-establish the "authenticity" of the Tasaday people continues with the backing of the President.

Regional autonomy for the Cordillera and Muslim Mindanao were to be finalised in 1988, but both the process and content of the proposal has drawn heavy criticism from indigenous and popular organisations in the two areas. The government's policy is to impose autonomy with minimal consultation and excludes renowned indigenous organisations such as the Cordillera People's Alliance. Already clauses guaranteeing control by the autonomy government over forestry and mining questions have been scrapped.

Apart from the continuing mass killings in the Philippines, other human rights and environmental abuses continue. The Island of Palwan continues to be plundered of its wood resources by logging companies. Since 1979, the island has lost 19,000 hectares of forest. The state has given free reign to businesses to take out vast concessions which cover most of Palwan. This has seriously threatened the Batak people. Reduced to only 400, the massive destruction of the forest is imposing starvation and extinction on the Batak.

While these human rights abuses were taking place, government departments (including the Ministry of Defence) backed an International Festival and Conference on Indigenous and Traditional Culture. A mass protest arose from the indigenous peoples of the Philippines and international NGOs during the meeting, which was held on November 22nd.

Sources:

Appen Malaysia, CIIR (Timor Link), Danilo Geiger IWGIA-Switzerland (Philippines), Horizons (PANLIPI), Indonesia Today, Frank Ringsted, IWGIA-Denmark (Malaysia), Primer on Genuine Regional Autonomy (CRC, Baguio), Sahabat Alam Malaysia (who in 1988 won the Right Livelihood Award), Sandungo, Statements to the UNWGIP, Survival International, TABAK Action Alerts, TAPOL Bulletin, Timorese Information Centre in Portugal, Tribal Forum.

Refugees from the Chittagong Hill Tracts in Tripura.

MAINLAND SOUTHEAST ASIA

Vietnam, Laos and Cambodia are three countries building Marxist-Leninist political systems with indigenous peoples. Whereas in Laos 30 per cent of the population is indigenous, Vietnam has about 12 per cent and Cambodia about 2 per cent.

Vietnam's policy for tribal people is fundamentally assimilationist. In the hills of Vietnam, the Unified Front of Oppressed Races (FULRO), made up of 4 major peoples (Bahnar, Jari, Rhade and Koho), continues asserting its identity, but has been severely weakened since the end of the Vietnam War.

Since the change of government in **Laos** in 1975, a massive flow of indigenous refugees (Hmong, Mien and Khamu mainly) has taken place. Although reports indicate a more conciliatory approach by the Laos government in recent years, lowland Lao culture is still the defining factor of the state culture.

There are currently reported to be as many as one million indigenous people in **Thailand**, many of them refugees from Laos and Burma. In many cases Hill Tribes live in areas which are deemed National Parks or Wildlife Sanctuaries. The Royal Forest Department has been trying to evict the indigenous tribal people from these areas, using the military to relocate them. Since 1986 the Hmong have been targeted, particularly those in the Thunbg Yai Naresuan sanctuary. The government blames them for creating environmental degradation because they practise swidden agriculture. (The influx of logging companies is rarely given as a reason for affecting the environment.) The Hmong were to be relocated to a reservation based on the US system during 1988.

In Thailand the fate of the Karen refugees from Burma continues to be difficult. Since 1984, the Burmese army has tried to control the border and prevent the Karens crossing freely to Thailand. Nevertheless the number of refugees is increasing. Although initially received well, the Thai government does not recognise the Karens as refugees. Reports emphasise how important it is that the Thai government does not try to repatriate the refugees, but, instead, recognises them officially and, if necessary, calls in support from the United Nations High Commissioner for Refugees. All this has taken place within a short time of the forced repatriation of 1,800 Akha, Lisu and Lahu people from Chiang Rai province in September, 1987.

> We believe that only by instituting a system of political equality for all the indigenous peoples, and cessation of discrimination regardless of differences in demography and degree of social development, can unity of all the indigenous peoples be achieved.
>
> Representative of the National Democratic Front, Burma.

At the UN Working Group on Indigenous Populations in August, the National Democratic Front presented a review of developments among the indigenous peoples of **Burma**. The NDF consists of Arakan, Kachin, Karen, Karenni, Lahu, Mon, Pa-O, Palaung, Shan and Wa organisations which make up about 20 per cent of the population of Burma. The statement underlined several areas of concern:

1. The forced labour of the indigenous minorities whereby the Rangoon regime uses local indigenous labour during campaigns. During Operation "Yan Myu Aung" in Summer 1987, against the Kachins, 14,000 people from the Kachin state were used for portering and mine sweeping. On January 11th, 1988, Kachin villagers from N'Braw Yang were conscripted for forced labour and a young woman, La Mai Hkawn, was raped until she eventually died.

2. The Burmese army has sprayed poppy fields in Shan and Kachin areas with the chemical 2,4-D (a component of "Agent Orange"). Instead of crop-substitution programmes and infrastructural development, the army prefers to devastate areas and make them unlivable. The Burmese army has also been

The Democratic Alliance of Burma (DAB) held its first Executive Committee at a liberated area in Burma from November 28 to December 2, 1988 – A Press Release

Chaired by General Bo Mya, the head of the new Alliance, the Executive Committee outlined and delineated strategies for the four branches of activity, viz., Military, Foreign Affairs, Finance and Organisation and Information. The Military Committee comes under the supervision of Chairman General Bo Mya; Foreign Affairs under First Vice Chairman Brang Seng; Finance under Second Vice Chairman Nai Shwe Kyin; and Organisation and Information under Third Vice Chairman General Thwin.

Recognising the fragile and oft fragmented opposition within the country, the Committee sought to further strengthen DAB's politicial base by welcoming as its 23rd Member the All Burma Young monks' Union, thus making DAB the largest single political alliance in Burma currently opposing the military dictatorship of Saw Maung.

Participating in various capacities were reprensentatives from all indigenous nationalities, Burmans, student leaders from the All Burma Students Democratic Front (ABSDF), and General Strike Committee (GSC), representatives from various religious organisations as well as organisations of Burmese expatriates such as the Committee for the Restoration of Democracy in Burme (CRDB).

The Executive Committee reiterated its firm conviction that a free and fair election is impossible under Saw Maung's military dictatorship and that the people must boycott the farce. It is disappointed and saddened at the disintegration of one or any opposition party and urges for national unity. In this, special appeal is made to the members of the Armed Forces to stand on the side of the people by joining the ranks of the opposition and actively participating with DAB i restoring freedom in Burma.

It is confident that the people will not remain idle in the face of the continuing repression by the Saw Maung regime. Should the unity and cohesion of the other democratic forces fail to meet the hopes and aspirations of the oppressed masses, the Democratic Alliance of Burme (DAB) will find it expedient to act on their behalf with appropriate initiatives and/or options including formation of a Provisional Government.

laying anti-personnel mines and booby traps in indigenous areas. Recent evidence points to the possible use of chemical toxins in the mines or else high velocity shrapnel.

3. The ethnocidal policy of "Burmanisation" continues in areas of freedom of language, education and the suppression of free speech.

4. Burma has recently received Least Developed Country (LDC) status which means that it stands to receive a considerable increase in aid. There is mounting fear that this money will not be used to help the poor but to subsidise military campaigns.

On March 12th, 1988 a country-wide uprising of students led to a change in government. The NDF fully supported the demands of the students, Buddhist monks and civilians. With as many as a thousand protestors killed in clashes between March and July, the indigenous peoples of Burma continue their 40 year struggle for a federal state which recognises indigenous autonomy. A change of junta leader from Ne Win to Saw Maung did not solve the problem. On November 19th a new Democratic Alliance of Burma (DAB) was formed combining a formal agreement between the NDF and student and religious organisations for the restoration of democracy and the achievement of peace and national reconciliation (*see accompanying text*).

During 1988 severe human rights violations have continued in the Chittagong Hill Tracts in **Bangladesh**. The Bangladesh government admitted at the end of 1987 that there were problems in the CHT but no improvement has been detected since then. On the contrary, reports of murder, rape, torture, looting, detention and religious persecution are still coming from the area.

Amnesty International visited the Hill Tracts in January to provide background information on the situation there. The report hinted at possible improvements in human rights conditions, but hopes were dashed as new information of abuses appeared in February.

In February, 13 cases of human rights violations were reported from villages near the Banjogi Chara army camp which arose from military operations against local villagers. Later in February, human rights violations were reported from the villages of Bamer Atarak Chara, Harikaba and Kattali Baradam. In March and April, rape, beating and torture took place at Logang and Babu Chara. 2,000 refugees moved to Tripura during June, which indicates the seriousness of conditions in the Hill Tracts during the early months of 1988.

The worst atrocities of the year occurred between the 3rd and 10th of August when the Bangladesh Army and settlers attacked five or six villages at Bagaichari, in Rangamati district. An estimated 300 people were killed in these raids, which were accompanied by other gross violations of human rights.

Talks between the Bangladesh government and the indigenous political party of the Hill Tracts, Jana Samhati Samiti, took place in January, February and June. The discussions broke down over the question of Provincial Autonomy because the Bangladesh government was not prepared to consider a constitutional amendment to fulfill the demands of the JSS.

Conditions in the refugee camps in Tripura are still critical although some aid is getting through from India and Europe to the 50,000 people living in 5

Demands of the Jana Samhati Samiti Party

1. The removal of Bangladeshi settlers from the CHT.
2. The withdrawal of all Bangladesh armed forces including the non-Jumma police force from the CHT.
3. Provincial Autonomy for the CHT with a separate legislature.
4. Adquate financial help for the rehabilitation of Jumma refugees in their native villages and on their farmlands.
5. The implementation of these measures under the auspices of the UNO and the deployment of the UN Peace-keeping force in the CHT.

Conditions for Repatriation of the Refugees from the Chittagong Hill Tracts

1. Not to repatriate the Jumma refugees until total peace and normalcy is restored in the CHT.
2. To repatriate the Jumma refugees only afater a tripartite talk among the representatives of the Indian Government, Bangladesh Government and the Jana Samhati Samiti of the Chittagong Hill Tracts.
3. To arrange a visit to the CHT by neutral observers such as Indian Parliamentarians, journalists from the news agencies PTI, UNI, BBC, VOA, AFP etc., together with refugee representatives to see whether the situation in the CHT is really conducive to the repatriation of the refugees.
4. To stop the infiltration of Bengali Muslims in the CHT, and to withdraw all Bengali infiltrators from the CHT.
5. To restore to the Jummas the lands which have been grabbed by the Muslim infiltrators, to rehabilitate the refugees with proper security arrangements, and to wind up the so-called "cluster villages" or "ideal villages".
6. Proper compensation to the refugees for their losses in life and property.
7. To stop immediately all activities for the propagation of Islam in the CHT and to return the Jummas, who were converted to Islam, to their religious belief.
8. To give entrance to all Humanitarian Organizations and foreign journalists into the CHT to observe the overall situation in the CHT.
9. To stop all sorts of repressions on the Jummas.
10. To withdraw all military and para-military forces and also the Cantonments at Dighinala, Ruma and Alikadam from the CHT.
11. To settle the CHT problem politically through bilateral talks between the Jana Samhati Samiti and the Bangladesh Government.
12. To give regional autonomy to the CHT with a separate legislature with a view to safeguarding the Jumma national existence and land rights and also to settling the refugee problem permanently.

Rengma Nagas marching on the way to a friendship celebration.

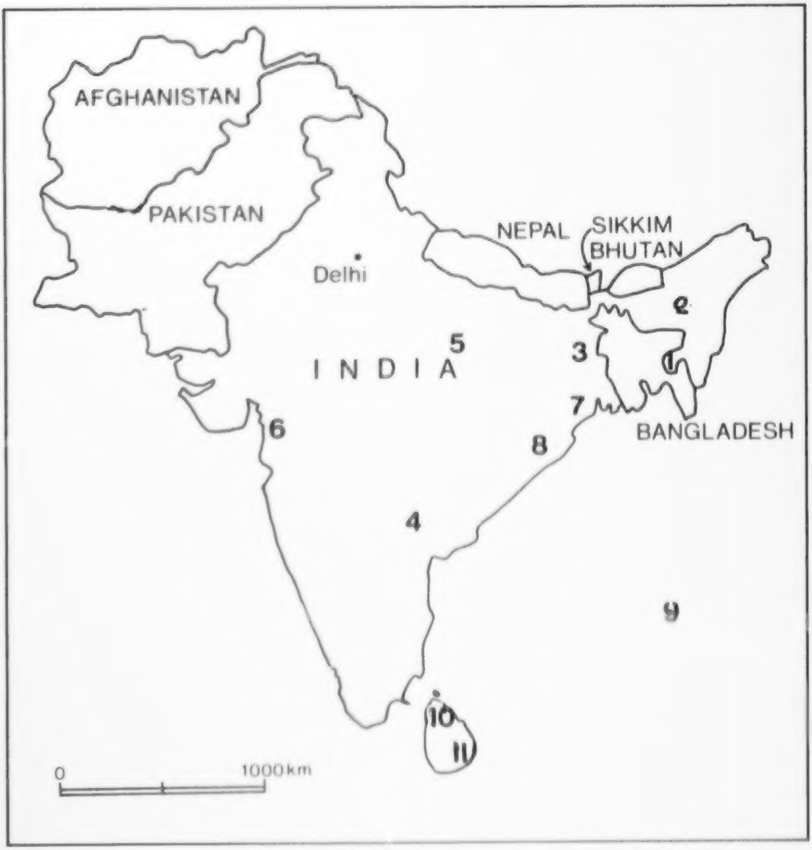
settlements. In July, discussions over possible repatriation conditions for the refugees took place with the High Commissioner of Bangladesh in India, but he could not satisfy the 12 conditions for return expected from the refugees (*see accompanying text*). The situation therefore remains similar to last year, with continuing violations of human rights within the Chittagong Hill Tracts and an increase in refugees to Tripura.

During 1988, there have been several developments in **Nagaland**. Scanty reports tell of a continuation of human rights violations in Naga villages including detention and torture in the region of Pungzo during the summer. Violations against civilians took place after the Naga army ambushed Indian security forces earlier in the year.

Newspaper reports from India tell of fighting within the National Socialist Council of Nagaland (NSCN) in March/April and attempts by one group to negotiate with India on the lines of the Mizo agreement in 1986 between the Mizo national Front (MNF) and the government of India. Nevertheless the rest of the NSCN and the Naga National Council (NNC) are both separately still continuing to assert the independence of Nagaland which they emphasise is under occupation by India.

Sources: Amnesty International, Chittagong Hill Tracts Campaign Network, Cultural Survival Quarterly, Indian press, IPS, KNU Bulletin, JSS, Statements at the UNWGIP, Survival International, The Alliance Bulletin.

Map of South Asia



Indigenous Population of South Asia: 51 million

Key:

1. *Tripura*
2. *Bodo*
3. *Gurhka*
4. *Bodghat project*
5. *Singrauli project*
6. *Narmada project*
7. *Subarnarekha project*
8. *Orissa*
9. *Andaman Islands*
10. *Tamils*
11. *Vedda*

SOUTH ASIA

> The indigenous tribal peoples of India have lost most of their tranquil habitats; they have also lost some of their confidence and identity. Forces of oppression and exploitation have encroached upon tribal life and have reduced many of them to sub-human conditions...The picture is rather gloomy and unclear but there are rays of hope on the horizon.
>
> Sharad Kulkarni, 1988.

Indigenous affairs in **India** have been conflicted-ridden during 1988. In the northeast, violent clashes between the government and tribal groups have increased. Prior to the state elections in Tripura in February, the Indian press reported the killing of more than 110 people by the Tribal National Volunteers. The election saw a change of government from Marxist to Congress I.

In Assam, a group of Bodos organised a united tribal movement seeking a separate homeland. The student tribal organisation of the area succeeded in stopping rail communication for a period in order to assert their claims. Elsewhere in Assam, there were reports in February and again in June of the rape of village girls by members of the Assam rifles.

In August the Gurhka National Liberation Front, which represents Gurkhas living in West Bengal, made a tripartite agreement with the Indian government and the West Bengal state government. According to the agreement they were granted autonomous status in the Darjeeling hills. This has ended 27 months of violent discord.

India has had second thoughts about several of its massive dam projects, but others are still going ahead. In June, 1988, the government cancelled plans for the hydroelectric dam at Bodhghat in Madhya Pradesh which would have flooded the lands of 10,000 Adivasis forcing their relocation. Meanwhile at Singrauli on the border of Madhya Pradesh and Uttar Pradesh where the Rihand dam dislocated thousands of indigenous tribal people in the early 1960s, the local people are still living under the construction of five coal-fired, water-cooled superthermal power plants, financed by European countries and the World Bank. This means relocating the local population yet again, some of whom have been relocated five times in a generation.

The World Bank is currently reviewing its support for the Sardar Sarovar dam in the Narmada Valley. Eight of the 239 communities destined for relocation have already been moved and conditions in the new areas are poor, with few resources and even cases of expropriation of the new land. The Narmada Sagar dam, further up the Narmada Valley, is still under consideration for support from the bank.

The bank has also had second thoughts about the Subarnarekha project in southeast Bihar. For 10 years the local population, consisting of a large number

Bhil child (photo: David Beatty/ Survival International).

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of indigenous people, has been opposing the Subarnarekha Irrigation System which has been planned to consist of two dams, Chandil, on the Subarnarekha river and Icha, on the Kharki river. The chemical/water/capital intensive project is now recognised as unsustainable.

In June, Rajiv Gandhi, India's Prime Minister, visited the indigenous regions of Bihar which prompted the state government to promise improvements for the people, such as the restoration of alienated tribal land. The authorities are aware that continuing problems in the region will fuel support for the Jharkand State proposal which would bring together the largely Adivasi regions of Orissa, Bihar and Madhya Pradesh. Unrest in Bihar has been documented in 1988 with killings, torture and rape. Local landowners and their private armies have been terrorising indigenous people into providing them with services and resources.

In neighbouring Orissa, several reports appeared in 1988, showing that the tribal region is one of the poorest in the country. In government projects at Kalahandi, 200 tribal people working for the Dumrebahal water harvesting project are not even on the minimum wage. In other areas people have been forced to

Resolution for Plenary Session of the 5th International Conference on Hunting and Gathering Societies, Darwin, September, 1988

We, participants in the Plenary Session of the 5th International Conference on Hunting and Gathering Societies, have considered, in a series of conference contributions presented by distinguished Indian and other scholars, the present situation of the Andaman Islanders and wish to express our great concern about their survival and our strong desire for effective action to secure their future. Past and present policies have manifestly failed to prevent the continued depopulation and suffering of those groups in contact with the Administration, and we are alarmed to learn that efforts are being made to develop contacts with the two small groups, the Jarawa and the North Sentinelese, who have until now resisted contact with outsiders.

We call upon the Administration to prohibit and prevent all attempts at contact and all encroachment on their lands until present policies in regard to those Andaman Islanders in contact with the Administration have been made effective in securing their survival, health and well-being. Our professional judgement is that continued attempts to develop contacts with the Jarawa and the North Sentinelese at this stage would almost certainly result in wholy unnecessary suffering and deaths and would provoke and deserve severe international condemnation.

We offer the professional knowledge, skills and resources of an international team of eminent Indian and other anthropologists with experience of similar issues to advise the Administration about the difficult practical problems involved.

Our overriding concern is to secure the survival, health and well-being of all these exceptionally vulnerable people.

"mortgage wives" to raise money to survive. Meanwhile, the government is pursuing its scheme to set up a massive missile base at Baliapal-Bhograi which will affect 45,000 people in 54 villages, many of them Adivasi.

A report on the indigenous people of the Andaman and Nicobar Islands, shows them to be living in extremely precarious positions. The great Andamanese are totally dependent on food distributions, while the Onge suffer from the effects of tourism and relocation. The main threat, however, comes from settlers from other parts of India who are encroaching on the indigenous peoples' territories (*see accompanying text*).

> Someone shouted some words in Hindi and an army man shot the two daughters between their legs, in the same manner as he had done to two other girls. Thereafter I heard three other shots and heard the moans of two little boys and realised that they were dying. After the army men left, I raised my head a little and found all the people who had been shot were dead.
>
> Testimony of Tamil survivor of mass killing by the Indian Peace Keeping Force in 1988.

Throughout the year, the fighting in **Sri Lanka** has continued since it started up with a vengeance in October, 1987. The Indian Peace Keeping Forces (IPKF) turned its wrath against the Tamil resistance. In the severe fighting there have been many accusations of atrocities against Tamil civilians. Murder, rape,

Vedda shaman in action (photo: Wiveca Stegeborn).

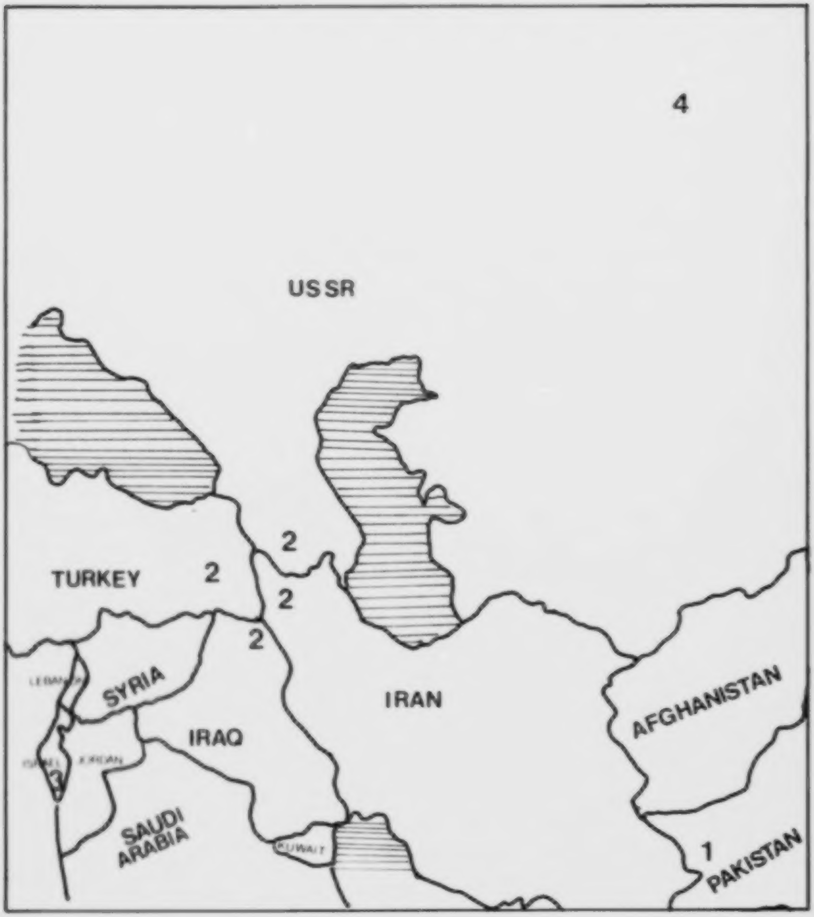
looting and torture have been documented from throughout the Tamil area during 1988. In the north and east, there are three detention camps in each Tamil district containing about 3,000 people. Medical facilities are extremely poor and in some areas hospitals have been shelled from the air. In addition, the Sri Lankan government has started to encourage Sinhalese colonists to move into Tamil areas. The Welioya Colonisation scheme in Mullaitivu District has settled 25,000 in 1988. The aim is to break up contiguous Tamil areas and move out the Tamils already living on the land. During October alone, 32 people were killed and 400 arrested by the IPKF.

There have also been several developments on the Vedda case in 1988. On April 6th, the Department of Wildlife put up two barriers to mark the boundaries of the Maduru Oya National Park. The effect of the barriers has been to prevent any visitors including the postal services, health inspectors, medical authorities and malaria controlling officers from entering the area where the Vedda live. In response, Chief Tissahamy sued the Department of Wildlife. He won the case and the barriers were taken away; nevertheless, the government has appealed and the case continues.

Nepal has the fourth lowest standard of living in the world after Bangladesh, Bhutan and Ethiopia. It relies heavily on outside aid, which, so far, goes mainly to help the state infrastructure. Many tribal peoples live in the rural areas of Nepal, making up about 60 per cent of the population. A major problem facing them is deforestation and there are plans to develop the hydroelectric industry in the near future.

Sources: Amnesty International, Appen, Indian press, IPS, Kulkarni, S., Overview, Statements from the UNWGIP, Stegeborn W, pers. comm., Survival International News.

Map of West and Central Asia



Population:

Minorities in the Soviet Union: 22 million

Kurds, Palestinians and other West Asian peoples: 12 million

Key:

1. *Baluchis*
2. *Kurds*
3. *Palestinians/Occupied Territories*
4. *Khants*

WEST AND CENTRAL ASIA/MIDDLE EAST

It has yet to be seen whether **Pakistan**'s new government will take into account the inter-ethnic relations within the country. The 6 million Baluchis of Pakistan live in the poorest part of the country where industry is largely in the hands of outsiders. The 1981 Special Development Plan for the region has helped the urban and coastal areas more than the traditional homeland of the Baluchis. There are still fears concerning the construction of a large US base on Baluchi territory.

In **Afghanistan**, 1988 will be remembered as the year when the Soviet Union withdrew, but the nightmare continues. Afghans make up two-thirds of the world's refugees (2.2 million in Iran, 3 million in Pakistan and 3 million displaced within Afghanistan itself). The problems they will face range from the logistics of return, starting up their economy again, ensuring water and arranging health facilities. A 1988 Helsinki Watch/Asia Watch report describes violations of human rights committed by all parties to the conflict in Afghanistan. It mentions killing of civilians, execution of prisoners of war and spread of hostilities to refugee camps in Pakistan.

> The planes dropped bombs. They did not produce a big noise. A yellowish cloud was created and there was a smell of rotten parsley or onions. There were no wounds. People would breathe the smoke, then fall down and blood would come from their mouths.
>
> Survivor from Iraqi chemical bombs, cited by Minority Rights Group Report on the Kurds.

On March 22nd, 1988 reports reached the international media of the deaths of 6,000 Kurds at the town of Halabja in northeast **Iraq**. Iraq was again accused of using chemical weapons against civilians. An estimated 10,000 people are thought to have been killed in attacks, such as on February 26th, 1988, when **Iraqi** planes chemically attacked 6 Kurdish towns in the Jafati Valley. According to a report from Cultural Survival, this is not the largest or first time that chemical weapons have been used against the Kurds. Most of the border towns between Iran and Iraq have been hit by chemical bombs over the last few years. The Minority Rights Group report that on 25th August, 1988, another chemical attack took place on 450 Kurdish villages. Of the casualties, we know that at least 200 families were killed in the Bassay valley.

During the 7-year Iran-Iraq war, 25,000 indigenous Kurds have been driven from their villages and thousands killed. More than 3,000 villages have been destroyed and thousands of Kurdish civilians forcibly relocated to the southern deserts of the country. There are currently about 100,000 Kurdish refugees in Turkey. Since the chemical bombing, it is thought that 3,000 out of 4,000 villages of Iraqi Kurdistan have been razed and up to 500,000 Kurds forcibly relocated.

Meanwhile in **Iran**, in the first years of the war more than 3,000 Kurds were executed and the 5 million who remain in the country still live in insecurity.

Baluchi watchmen (photo: Maria Levent).

There are between 8 and 10 million Kurds in **Turkey**. According to the Turkish government at least 800 people have been killed in the last 5 years in eastern Turkey caught in the cross-fire between Kurdish guerillas and the government. Tunceli Province is heavily militarised and reports of mass killings, forced relocations and other human rights violations have come from the area in recent years. The population of the province has decreased from 200,000 to 162,000 in 10 years, completely the opposite of demographic trends elsewhere in Turkey. Although Kurdish is still banned in official places, the conditions of prisoners in the notorious Diyarbakir prison (containing 2,000 Kurds) has been improved after a mass 10 day hunger strike in 1988.

> We earnestly ask the government to save our small nation before it is too late. To leave for us the living space along the Bolshgi Yugan and Maly Yugan rivers. To stop oil production on these rivers. No settlements, oil derricks or oil pipelines should be built beyond the village of Ugut up the river. Let there remain at least one distinctive corner on our land. Our settlements should be declared a national preserve. The Khant people hopefully expect that our government will take time from global problems to see our problems and finally decide to preserve our small nations.
>
> Appeal from the Fishing and Hunting community of the Khants.

There is an increasing number of reports emerging about the indigenous peoples of the **Soviet Union**. A report from the Khanty-Mansi Autonomous area tells of the plight of the 20,000 Khants, once known as Ostyaks. These reindeer herders find it difficult to keep their sons and daughters from seeking a life in the oil booming cities and exploration sites which have severely encroached on their traditional land.

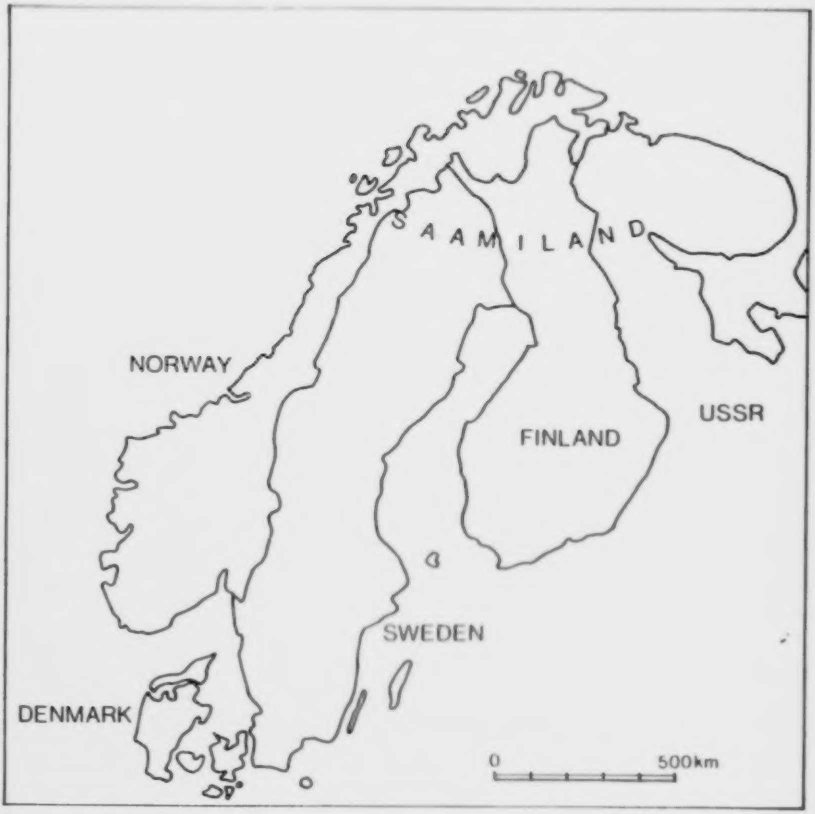
Bodies of adults and children in Halabja, victims of the Iraqi chemical attack (photo: Patriotic Union of Kurdistan/Cultural Survival).

These events have to be seen in a context of general ethnic assertion among the National Minorities of the Soviet Union. In February conflict between Armenia and Azerbaijan blew up, leaving 32 dead. Protests and strikes were followed in June by a call by the Armenian Supreme Soviet to annex the Armenian enclave in Azerbaijan under the Soviet Constitution's Article 70, which gives every people the right to self-determination. The claim was dismissed by the Azerbaijan Supreme Soviet. National sentiment has increased in other parts of the Soviet Union in 1988, particularly in the three Baltic republics of Estonia, Latvia and Lithuania.

In December, 1987, the intifada (Palestinian uprising), began in the **Occupied Territories**. During 1988, nearly 300 Palestinians have been killed and over 5,000 imprisoned. The Israelis have closed schools, limited press coverage and banned the colours of the Palestinian flag in the area. Since July there have been several advances towards a settlement and recognition of Palestinian rights, particularly the Palestine Liberation Organisation's conciliatory peace iniative.

Sources: Cultural Survival Quarterly, Human Rights Watch, Guardian Third World Report, The Observer.

Map of Saamiland *Saami population: 80,000*

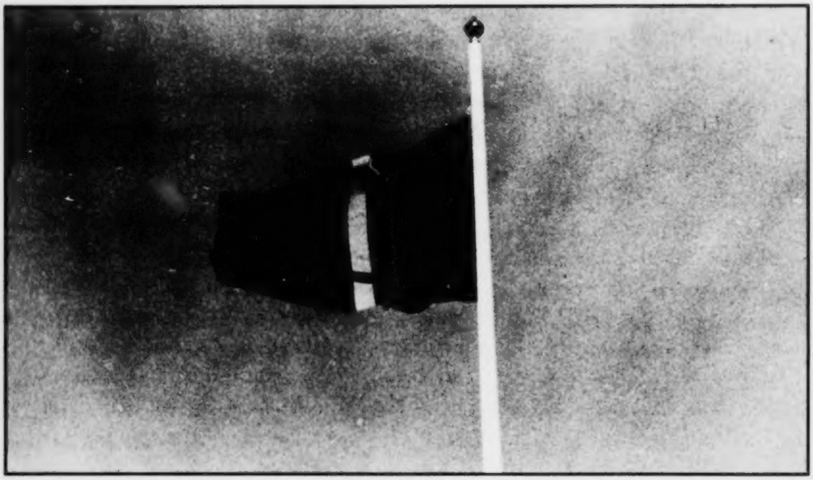


EUROPE - SAAMILAND

Ten years have passed since the first Saami demonstration in **Norway** against the damming of the Alta-Guovdageaidnu river. The political turmoil in which these demonstrations ended has now resulted in an extensive reorganisation of the relations between the Saami and the Norwegian national state. Saami representation in Norwegian policy is to be ensured by a Saami ''parliament'', a political institution where only Saami are eligible to vote. The first elections will be held in the autumn of 1989. A new law will introduce official bilingualism in some of the Saami areas in an attempt to ensure legally the future of the Saami language.

While the political development as such seems to favour the Saami as an ethnic group, an important part of the Saami population is facing severe problems on their own. These are the reindeer-herding Saami, mostly living in Finnmark - the northernmost part of Norway. They are no more than 10 per cent of the Saami population but their pastoral activity is the only specific Saami livelihood. Guarded by law, only Saami have access to reindeer-herding. And maybe even more important, only Saami have the cultural skills necessary to carry out a herding enterprise.

Reindeer pastoralism consists of three factors of production: animals, pasture and people. The task of the herders is to mediate the relations between these three factors in such a way that they can make a living. This mediation



Nordic Saami Flag (photo: Jørgen Brøchner Jørgensen).

is based upon the herders' knowledge about, and control over, the factors of production. They need to have extensive knowledge about the behaviour of the reindeer in relation to climate and pasture conditions and they have to be able to control the animals and pasture in accordance with this knowledge. Through the centuries such knowledge and control has been developed and organised within a cultural institution called the *siida*. This is a flexible joint working activity between some of the herders and their herds. The task is to compensate for any lack of balance between the factors of production, as changing seasons and pasture present the herders with different labour needs and expertise. Because of these differences, the siida changes composition through the year.

The management of the siida as an organisational form, and the mediation of access to pasture and labour in relation to the size of the herd, together gave life to the unique culture of the reindeer-herding Saami. Up until recent years, this culture has been remarkably autonomous - embedded as it is in the well-organised national state of Norway. While all other Saami economic adaptions are available also for Norwegians and regulated by Norwegian political institutions, reindeer pastoralism has been beyond the control of these institutions. Both access to pasture and animals, and the recruitment of new production units, have been regulated by Saami cultural institutions within the framework of the siida.

But over the last few years, Norwegian authorities have slowly been taking control of the pastoral system of production. This has been done through legislation and economic regulations. A new law has given Norwegian political institutions the right to regulate the access to reindeer-herding: from now on any Saami needs a permit to start herding. It is no longer individual skills and kinship which regulate the establishment of a herding unit.

Furthermore, the herders have lost control over the pasture. The law forbids the kind of flexibility upon which their grazing strategies were based upon. Changing pasture is now a very complex, if not impossible, operation, involving bureaucracy and the Norwegian authorities. And lastly, the control of animals is no longer the responsibility of the herders. Today, rules and regulations prescribe the number of animals allowed in the different areas.

To mediate the relations with the Norwegian authorities, a new system of representation has been set up for the herders. This system is given the authority which earlier was in the hands of the siida, and thus weakens the power of the latter.

The consequence of these changes is that the Saami's use of their own rules and cultural institutions could be illegal. Herding is only legal when it is done in accordance with Norwegian law, which easily can be contrary to the legal concepts of the Saami.

In 1988, Norwegian authorities tried for the first time to enforce this new situation upon the Saami pastoralists in Finnmark. According to the government and its experts, the number of reindeer is far too high and an ecological breakdown is approaching. It is therefore necessary to regulate the whole pastoral enterprise, they argue, to level both the number of animals and herders. The plans for reducing the herds are rather drastic and the whole scheme has been met with a large amount of resistance from the herders concerned. They are arguing that the regulations mean the very end of reindeer-herding as a pastoral undertaking and thus also have severe consequences for the cultural autonomy of the Saami.

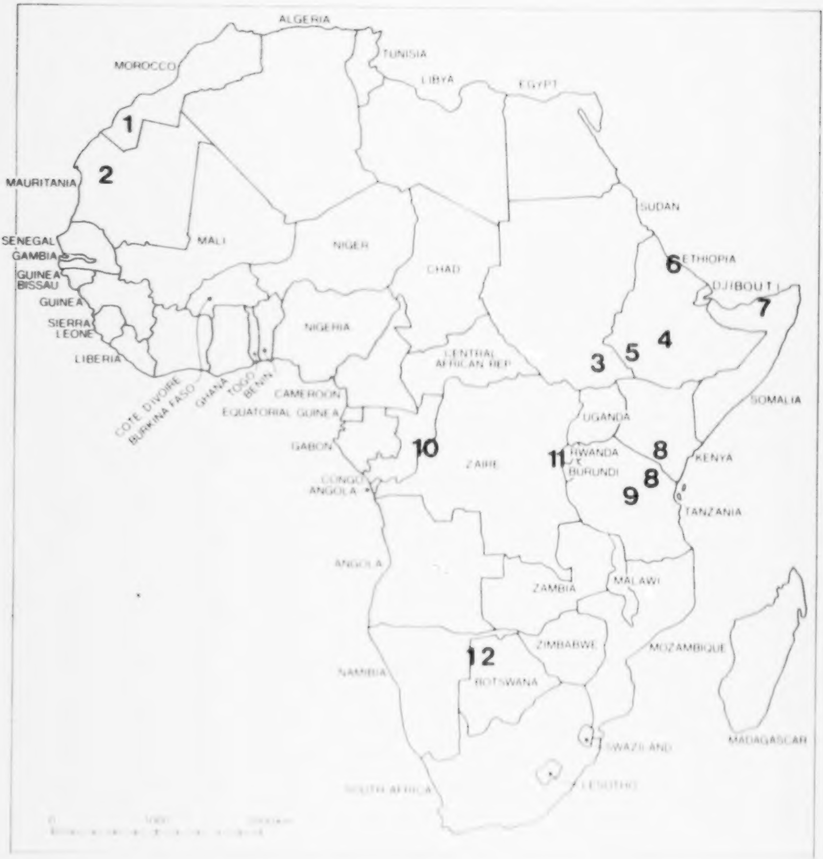
With the loss of control of the factors of production and consequently also the loss of knowledge over time, they are afraid that the Saami pastoralism of today will cease to be a cultural expression of the Saami and, rather, end up as an economic livelihood, well integrated into Norwegian society.

Meanwhile in **Sweden** and **Finland** the Saami are still in the process of working out their rights with their respective governments. In Sweden there is a strong possiblity that a Saami Parliament, perhaps on the Norwegian model, will be established, while in Finland, where a Saami Parliament already exists, rights to resources, particularly land and water are under discussion.

In the **Soviet Union**, since the amalgation of six Saami villages twenty years ago in the region of Lovozero, social problems have risen. Alcoholism and suicide rates have increased and housing shortages are still acute. On the other hand there has been a much more open attitude to Saami affairs than hitherto.

Source: The Norwegian section was written by Ivar Bjørklund. Other sources include Lovozerskaja Pravda.

Map of Africa



North African nomadic peoples: 8 million
East African nomadic peoples: 6 million
Pygmies: 200,000
San (Basarwa/Bushmen): 100,000

Key:

1. *Sahrawi*
2. *Mauritania*
3. *Shilluk/Nuer/Dinka/Mandara*
4. *Oromo*
5. *Anuak*
6. *Eritrea and Tigray*
7. *Issaq*
8. *Maasai*
9. *Barabaig*
10. *Mbuti (Pygmy)*
11. *Hutu/Tutsi*
12. *San (Basarwa, Ju/Wasi, Bushmen)*

NORTHERN AFRICA

For 11 years the war in the **Western Sahara** (Sahrawi) has forced 185,000 people to live as refugees in south west Algeria. Conditions in the camps have been extremely difficult and an international appeal has been made to provide them with support.

Meanwhile, fighting has continued between the Polisario and the Moroccan Armed Forces for control of the country. Much of the fighting has taken the form of attacks on the 1,500 mile-long wall splitting the Western Sahara in two. In May, Algeria and Morocco restored diplomatic relations and at the same time the UN visited the area to see how a peace-keeping force could be established there. Polisario declared a 20 day cease fire during this visit. Later in the year, a peace proposal by the United Nations received positive responses from the different sides which may mean the prospect of an end to the 13 year war.

One of the effects of the drought in **Mauritania** has been that many of the nomadic peoples have moved to the towns and settled there. Several projects with the support of the United Nations are being designed to reverse the drift to the towns by providing oasis schemes and also providing one-time slaves with employment opportunities so that they do not have to return to their previous masters as a result of hardship.

Since May 1983, there has been war in the southern **Sudan**, between the Sudan People's Liberation Army (SPLF) and the Khartoum government. The conflict has devastated the lives of the peoples of the area – e.g. the Shilluk, Nuer, Dinka and Mandara. The Dinka, who constitute the majority in the SPLF army, have been particular targets for indiscriminate violence, rape and torture by the government and their allied troops.

In **Ethiopia**, the villagisation programme to concentrate scattered farmers into villages is continuing. The programme is modelled on the controversial villagisation programmes in Tanzania during the late 1960s and early 1970s. The process is being imposed on all ethnic groups. Out of a total rural population of 38-39 million, over 11 million have so far been moved to new villages. Whereas some people fully support the villagisation programme which they see as a means to easy access to water, medical services, etc., others have fled the country and joined organisations such as the Oromo Liberation Front. Since 1985, refugees from the villagisation programme have poured eastward into Somalia (where there are an estimated 70,000) and westward into Sudan. Oromo refugees in Somalia bear witness to summary executions and imprisonment, rape and massacre against those who protest removal.

In 1984, the Ethiopian government moved 70,000 highland peasants into the forest areas of Gambella as part of the Resettlement Programme launched

War games for this Dinka child (photo: Caroline Penn/REFLEX/Survival Interntaional).

after the drought. The Anuak people, who survive on hunting, fishing and rice cultivation on the river banks of the Gambella in the borderland of Ethiopia and the Sudan and whose members are estimated at between 20,000 and 30,000, soon became a minority in their own country because of the influx of resettled farmers. The Anuak themselves were forced into the resettled villages. More resettlement of drought-stricken people is planned.

Over the last year Ethiopia has found itself increasingly on the defensive in Eritrea and Tigray, where the resistance armies have had several major successes.

During 1988, the rebellion in northern **Somalia**, which has been brewing for about a decade, flared into a full-scale civil war. The rebels are the Somali

Young Isaaq herdsman - war is devastating his people (photo: Hamish Wilson/Survival International).

National Movement (SNM), which draws its support mainly from the Issaq people. The Issaq, who number perhaps 700,000, are the main population of north-west Somalia and one of the principle branches of the Somali nation. Since May, government repression of the Issaq has escalated into something like genocide. Estimates are given of 10,000 or even 20,000 dead. The capital of the northern region, Hargeisa, is reported to be heavily bombed. Nomadic villages have been strafed by aircraft. Issaq living in the south of the country are being rounded up and imprisoned. By the end of August 1988, there were at least 250,000 Issaq in Ethiopia.

Sources: Survival International News, The Fourth World Bulletin, The Guardian Third World Review.

Maasai warrior drawing water for his cattle from a traditional well (photo: Kaj Århem).

EAST, WEST AND CENTRAL AFRICA

There are over 500,000 nomadic pastoralists (Maasai, Turkana, Borana, Somali, among others) in **Kenya** who are currently facing an intense government clamp down on their way of life. The authorities say that there is no room in the modern world for tribal peoples who continue to wear traditional dress, organise themselves in age-sets and carry out ritual ceremonies. Pastoralists who openly complain against the government's policies have been imprisoned. This particularly anti-pastoralist initiative is taking place in a climate of increasing human rights violations in Kenya.

In neighbouring **Tanzania**, the pastoralists (mainly Maasai and Barabaig) are fewer, between 150,000 and 200,000. There the main problems centre around land and traditional pastoral activities. State bodies often see development in terms of settled communities and the need for increasing exports has led to orienting Maasai and Barabaig cattle production for selling without taking subsistence needs into consideration. The Ngorongoro National Park, which is Maasai traditional land, still gives priority to the grazing rights of wild animals rather than the subsistence rights of the Maasai. For example, during 1988, Maasai from Mkomazi, east of Kilimanjaro, were removed from their villages to create a buffer zone for Ngorongoro. In other parts of Maasai territory the selling of individual land plots and the incursions of companies threaten 20 villages in the Lokondo area.

In the Barabaig area, extensive acreage has been expropriated for commercial wheat production. Many Barabaig families have been driven off the land by force and without compensation. The Canadian aid agency (CIDA) has supported extensive wheat production in Tanzania since 1968. The Tanzania-Canada Wheat Programme is, in fact, one of the biggest bilateral aid schemes in the country. Approximately 260 sq.km. of former Barabaig pasture land has been expropriated for large-scale wheat production so far.

In Arusha, Tanzania, a pastoral land tenure workshop was held in December 1988 with participants from Kenya, Tanzania and Uganda. The workshop was attended by people actively involved in pastoral development and their struggle for land rights. There were representatives from various pastoral groups as well as from national and international organisations. Arusha was an appropriate place as Tanzania Breweries are currently in litigation with the Maasai over 10,000 acres of Maasai land which was appropriated by the company with the support of the District Administration.

The Mbuti pygmy people in **Zaire** face continuing pressure from economic interests over their resources in the Ituri rainforest. Nevertheless, they are still able to keep up their symbiotic relationship with the more settled villages around

Ngorongoro Highlands – a family returns to settlement area (photo: Kaj Århem).

them. This is becoming increasingly impossible in neighbouring **Camerouns**, where the pressure on resources is growing fast and the pygmy people are the first to feel the affects.

During the ethnic conflict in **Burundi** in 1988 there were over 5,000 Hutu killed in fighting with the dominant Tutsi. More than 35,000 refugees have fled to neighbouring **Rwanda**, where the power relationship between the Hutu and Tutsi is reversed.

Sources: Cultural Survival Quarterly, Gesellschaft für Bedrohte Volk, Lazaro Parkipuny, Survival International.

SOUTHERN AFRICA

There are about 100,000 San (Basarwa, Bushmen) in Southern Africa. Their traditional way of life is hunting and gathering, or, in some areas, fishing and simple agriculture. Possibly the biggest problem facing these people is the expanded pace of development in rural areas of South Africa. As populations grow, so do the economies of these countries, and there is increasing pressure to utilise the range, mineral and other resources of what used to be the frontier settlement. Most San in the southern African countries today work for starvation wages on farms or wander in a desperate search for work. Some live on government handouts, and many have been recruited into the South African army. There is still no official recognition of Ju/Wasi San in southern Africa.

With independence for **Namibia** now clearly on the horizon, opposition to South African occupation has had some effect. In initial talks on the future of land control in free Namibia, SWAPO says that it will nationalise the land of absentee landlords first but, whatever happens, land for the Ju/Wasi San of Namibia is crucial for their survival. A very positive development in Namibia has been the Ju/Wasi Rural Development Project which has begun self-help activities raising production, income and nutrition standards among the San of Nya Nya.

Now the latest threat to those groups that still retain their identity comes from the international concern for wildlife. The Central Kalahari Game Reserve of **Botswana** has been one of the largest concentrations of traditional San people. The San population in the Park has dropped from 6,000 to just over 1,000 in the last 20 years. The Botswana government is about to embark on a relocation programme that will remove the last 1,200 San remaining in the Central Kalahari Game Reserve and will prevent all San from hunting in the reserve, the heart of their ancestral homeland. In the Kalahari desert boreholes have been drilled for the last fifty years. Large numbers of cattle are being raised in these areas. Cattle utilise many of the same plants as foragers do. It is becoming increasingly difficult for hunter-gatherers to meet their subsistence requirements in areas that are heavily stocked.

During 1988 the clamp down by the government of **Azania** has continued. The country is thought to house the highest prison population in the world as well as the highest execution rate (over 500 in the last four years). The majority of the victims are indigenous blacks. Relocation, poverty and repression continue throughout the country.

Since the 1960s, well over 3.5 million people have been relocated because of apartheid policies. In addition there are also relocations taking place within the reserves or "homelands". A particular case of resettlement which has caused concern has been that affecting the Shixini people in Transkei.

San in 1986 (photo: Espen Wæhle).

Sources: Andrew Meldrum: A Better Life for the Bushmen? in *Africa Report* July-August 1988, articles by Robert Hitchcock, The Guardian Third World Review.

Africa sections written by Aud Talle.

CONCLUSION

The conclusion of this report thematically delineates the main trouble spots of the indigenous world in 1988. The eight themes are plotted on the accompanying map.

1. Mass killings of indigenous peoples

Killings continue at a similar level to last year in the Chittagong Hill Tracts and East Timor. An increase in mass killings has been reported from Guatemala, Peru, Colombia, Brazil, Kurdistan, Sri Lanka, West Papua, Somalia, Tibet and the Philippines. If we include areas not always considered indigenous, we could add Burundi and the Occupied Territories. It is worth noting that more than half of these countries are nominally democratic, which shows that genocide is not exclusively a product of dictatorship.

2. Indigenous leaders murdered and communities invaded

These areas may not be so trouble-stricken as the areas mentioned above, but they are of grave concern: Chile, Paraguay, Mexico, Tanzania, Kenya, Ethiopia, India, Sri Lanka (Veddas), Nagaland and Canada. In these countries indigenous leaders have been murdered, communities invaded by the armed forces and villagers have been arrested.

3. International colonisation

The World Bank is still operating in Brazil, Paraguay, Indonesia and India, although it is rethinking its policy. Multinationals are operating all over the world; oil, mining and logging companies are the greatest threats, targeting primarily the remaining areas of rain forest in the Amazon and Southeast Asia. Multinational companies are also threatening indigenous peoples in industrialised countries, particularly Canada, Australia and the USA.

4. Land rights and demarcation

Land rights are recognised in many countries but agreements about their nature are terribly slow and often work against the indigenous peoples concerned. The case of the Yanomami in Brazil has been a cause for great concern during 1988. Panama, Ecuador, Sarawak, Canada, Australia and the Arctic are all examples of countries where land rights provisions are being deliberately delayed, neglected or abandoned.

Map of threats facing indigenous peoples

5. Forced relocation and resettlement

These forms of population control take place in all areas where there are mass killings, such as the Chittagong Hill Tracts, Guatemala and East Timor. However, in the USA, Ethiopia, Tanzania, Azania, Botswana and India there are also cases of involuntary movements of population for the purpose of creating of national parks, establishing village settlements, forming reservations or clearing land for industrial development such as hydroelectric programmes and mining projects.

6. Transmigration and state colonisation

Indonesia is not the only example of government-sponsored migration (transmigration) with disastrous consequences in the world. In the Chittagong Hill Tracts, it has led to war, as too in West Papua. In the French colonies of the Pacific, it has long been a policy to send out French colonists. Tibet now has Han Chinese entering on a massive scale. In Bolivia, population movement to the Amazon has been enormous. Internal colonisation in Sri Lanka of Tamil areas has been on a similarly large scale. The effects of transmigration include environmental deterioration, warfare and making indigenous peoples a minority in their own countries.

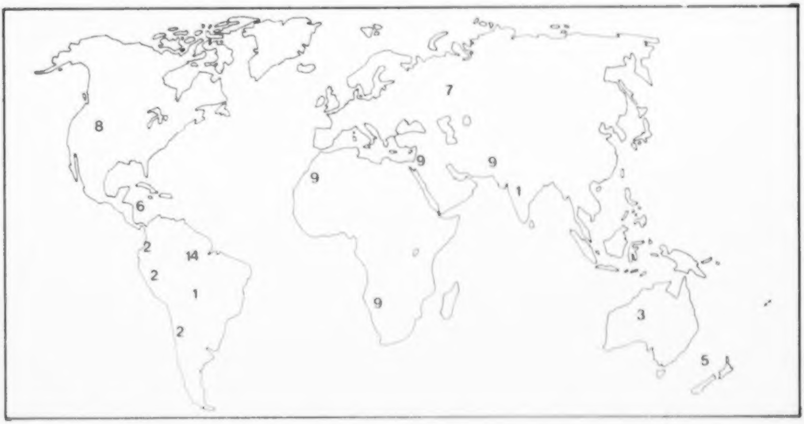
7. Increased militarisation

Militarisation continues to increase in Canada among the Innu, in Guatemala, Peru, the Chittagong Hill Tracts, the Philippines, India, Indonesia, East Timor and Micronesia. Militarisation varies from using indigenous territories as training grounds to direct military oppression.

8. Nuclear activity

Indigenous peoples are affected by the whole nuclear process. From the mining in Australia, the USA and Canada, pollution and detrimental health risks from nuclear production threaten indigenous peoples in Northern Territories, Western Australia, Saskatchewan and Arizona. The accidents in power stations such as Chernobyl still have consequences among the Saami and peoples of northern Canada. Nuclear testing takes place on indigenous territories among the Western Shoshone, USA and in Tahiti. Nuclear waste is being dumped on Tibetans and Pacific Islanders.

Map of positive developments in the indigenous world.

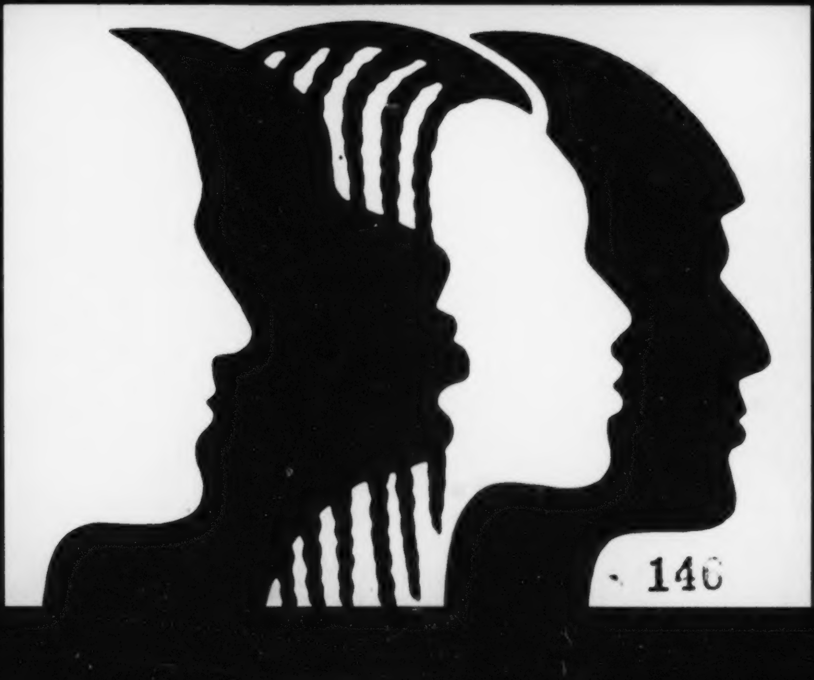


Positive Developments

1988 has witnessed some positive moves in the indigenous world. These events are plotted on the accompanying map.

1. The World Bank has been rethinking its policy on hydroelectric dams in Brazil, Paraguay and India.
2. Some land titling has taken place in Peru, Chile and Colombia.
3. There are signs of possible treaty negotiations between the Aborigines and the Australian government.
4. The new Constitution in Brazil includes indigenous rights in its articles.
5. The Waitangi Tribunal in Aotearoa has heard more cases than ever before.
6. Thousands of Miskitu refugees are returning to Nicaragua.
7. The Soviet Union is opening up to the discussion on its indigenous issues.
8. After a strong and principled stand by the Lubicon Cree in Canada, the Province of Alberta quickly came to an agreement over land rights, which still has to be approved by the Federal government.
9. Peace initiatives have been made in Afghanistan, Sahrawi, Namibia and Palestine. These have been recognised as the most positive developments internationally in 1988.

Indigenous Rights



UN Working Group at the opening (photo: Christian Erni).

Indigenous Peoples at the UN, 1988 – the Working Group on Indigenous Peoples

Report

By Tony Simpson

The Working Group on Indigenous Peoples (WGIP) consists of five experts elected by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities. It was established in 1982 with a mandate to monitor and review the situation facing indigenous peoples and to draft a Universal Declaration of Indigenous Rights *(From 1989 the term "Peoples" will be used instead of "Populations").*

This year's (1988) WGIP was preceded, as in previous years, by a meeting of approximately seventy-five indigenous representatives from around the world. The Indigenous Pre-sessional Meeting focussed on Chairperson Daes' Working Paper containing preliminary draft principles (*the text of this draft is printed after this report*). The meeting said that the Working Paper was unacceptable as currently drafted because it did not incorporate the Indigenous Declaration (*for a text of the Indigenous Declaration see IWGIA Newsletter 43 & 44, 1985*). Specific inadequacies included:

a) the right of self-determination of indigenous nations and peoples was not adequately addressed;
b) nor was the collective right to land and territory;
c) the importance of land and resources was not covered; and
d) the significance of treaties and treaty-making needed elaboration.

More general inadequacies related to the need to address emerging human rights, such as the right to peace; to protect the environment; to development; and to humanitarian assistance. Furthermore, the WGIP was requested to research and make recommendations for the provision of mechanisms to ensure full implementation of indigenous rights and to arrive at a clear understanding of the relationship between collective and individual rights. The WGIP was told that various draft documents would be distributed to indigenous communities, with the 1987 draft of 22 principles forming the basis for discussion and consultation, with a view to the development of a revised Draft Declaration for presentation to the 1989 Pre-sessional Meeting.

Review of Developments

This review gave government and non-government parties an opportunity for constructive dialogue. Government representatives made the following points:

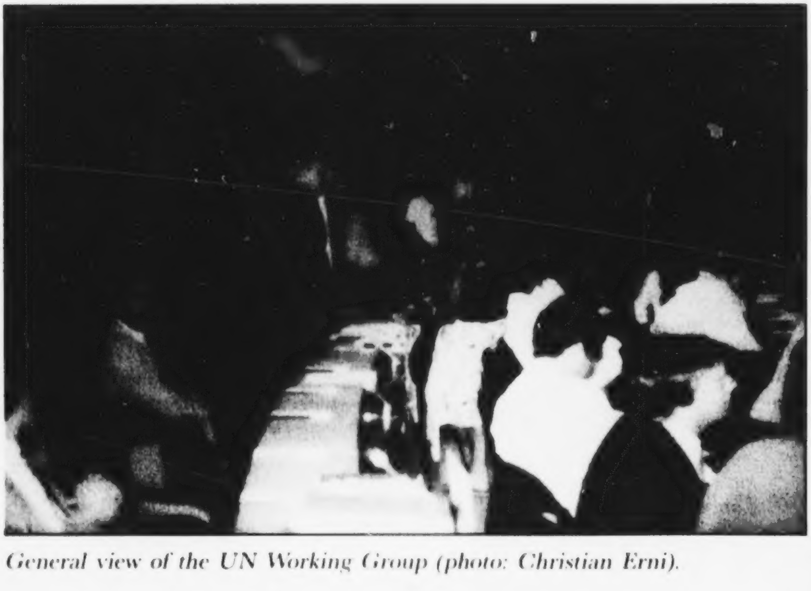
a) The vulnerability of certain groups in India has been recognised by that government, which has taken relevant action.

b) The Philippines government referred to the success of a number of indigenous people in maintaining their pre-Hispanic culture, customs and traditions despite common historic problems, namely the loss of ancestral lands, political subjugation and lack of economic development.

c) The Japanese government, as a necessary first step to open discussion, recognised that the Ainu people exist as an indigenous people who need, amongst other things, measures to assist in the protection and preservation of their social and cultural heritage.

d) Governments such as Indonesia, Bangladesh and Burma adopted confrontationist attitudes to the discussion on developments.

(For an account of the indigenous position in these countries see The Indigenous World section of this Yearbook.)



General view of the UN Working Group (photo: Christian Erni).

The difference between the views of indigenous people and governments drew comments from Niall McDermott of the International Commission of Jurists, supported by 26 non-indigenous non-government organisations (NGOs). He compared the reports of governments containing the good news stories to the reports indigenous people themselves gave on attempted genocide, torture and disappearance, treaty violation, denial of subsistence, inadequate food and shelter, and other fundamental human rights abuses.

Evolution of Standards Concerning Indigenous Rights

The Chairperson Madame Daes had been entrusted by the last Session of the WGIP to draft principles which would form the basis of a Universal Declaration of Indigenous Rights (UDIR). When presenting the text she invited critical analysis and pointed out significant features including: the use of the term indigenous "peoples" rather than "populations"; the combination of indigenous and collective rights with an emphasis on the latter; the protection of indigenous identities as manifested in languages, religions, traditions and customs; the introduction of indigenous autonomy with meaningful customs and powers; the reaffirmation of land and resources rights; and the absence of a definition of "beneficiaries". Chairperson Daes suggested that written comments could be submitted prior to the next session of the WGIP. She expressed hope that such debate could finally generate consensus.

Observers and experts noted, *inter alia*, that: the accent in the Declaration should be on collective rights; a distinction should be drawn between autonomy and independence; the forms of autonomy should be determined by the free consent of the indigenous people concerned and should focus on the rights of indigenous peoples rather than on specific State obligations.

A call was made to the WGIP to keep other inter-governmental bodies such as the Commonwealth Heads of Government Meeting (CHOGM) informed about recent developments in relation to indigenous rights and perspectives.

Treaty Study

An outline for a Treaty Study by Special Rapporteur Martinez was endorsed by the WGIP. The purpose of the study was outlined as being the effective protection and promotion of indigenous rights through ensuring a solid, durable and legal basis for current and future relations between indigenous people and States; it would be structured into three parts: the original treaties, contemporary significance; and future applicability. (*For further discussion of treaties, see the two indigenous interviews in this section.*)

Voluntary Fund

A large number of indigenous people were assisted to attend the WGIP in Geneva this year by the funds available through the Voluntary Fund. *(This fund is a UN body through which voluntary contributions from governments support indigenous peoples' attendance at the Working Group).*

Seminar

The WGIP adopted the indigenous position that their organisations be involved in determining the participants in the upcoming UN Seminar "The Effects of Racism and Racial Discrimination on the Social and Economic Relations between the States and Indigenous Peoples".

Sub-Commission

(After the Working Group meeting, a report was made which was presented to the Sub-Commission on the prevention of Discrimination and Protection of Minorities – the next step up in the UN hieararchy.)

Representatives of the Grand Council of Crees made a significant impact, emphasising their rights to autonomy and explaining their objection to the term "populations": "the use of this term by the UN is degrading, insulting and inappropriate. We use it to refer to animals and insects."

The Haudeshaunee Nation called for a moratorium on the forced relocation of Hopi and Navajo families in the United States.

NAILSS (National Aboriginal and Islander Legal Services Secretariat) noted the threat that hostile governments such as the New South Wales Greiner government can pose for progress in the area of Aboriginal rights.

A bitter disappointment was the Sub-Commission's decision not to act in relation to human rights violations in East Timor.

Source: This report has been taken from "Geneva – Indigenous Rights in International Forums", by Tony Simpson from the Aboriginal Law Bulletin.

Draft Universal Declaration on Indigenous Rights

As contained in document E/CN.4/Sub.2/1988/25

The General Assembly,

Considering indigenous peoples equal to all other human beings in dignity and rights in accordance with existing international standards while recognizing the rights of all individuals and groups to be different, to consider themselves different and to be regarded as such,

Considering that all peoples and human groups have contributed to the progress of civilizations and cultures which constitute the common heritage of humankind,

Recognizing the need to promote and protect those rights and characteristics which stem from indigenous history, philosophy of life, traditions and social structures, especially as these are tied to the lands which the groups have traditionally occupied,

Concerned that many indigenous peoples have been unable to enjoy and assert their inalienable human rights and fundamental freedoms frequently resulting in insufficient land and resources, poverty and deprivation, which in turn may lead to rebellion against all forms of oppression,

Convinced that all doctrines and practices of racial, ethnic or cultural superiority are legally wrong, morally condemnable and socially unjust,

Reaffirming that indigenous peoples in the exercise of their rights should be free from adverse distinction or discrimination of any kind,

Endorsing calls for the consolidation and strengthening of indigenous societies and their cultures and traditions through ethnodevelopment and comprehensive participation in and consultation about all other relevant development efforts,

Emphasizing the need for special attention to the rights and skills of indigenous women and children,

Believing that indigenous peoples should be free to manage their own affairs to the greatest possible extent, while enjoying equal rights with other citizens in the political, economic and social life of States,

Calling on States to comply with and effectively implement all international human rights instruments as they apply to indigenous peoples,

Acknowledging the need for minimum standards taking account of the diverse realities of indigenous peoples in all parts of the world,

Solemnly proclaims the following rights of indigenous peoples and calls upon all States to take prompt and effective measures for their implementation,

Part I

1. The right to the full and effective enjoyment of all fundamental rights and freedoms, as well as the observance of the corresponding responsibilities, which are universally recognized in the Charter of the United Nations and in existing international human rights instruments.

2. The right to be free and equal to all the other human beings in dignity and rights to be free from adverse distinction or discrimination of any kind.

Part II

3. The collective right to exist and to be protected against genocide, as well as the individual rights to life, physical integrity, liberty and security of person.

4. The collective right to maintain and develop their ethnic and cultural characteristics and identity, including the rights of peoples and individuals to call themselves by their proper names.

5. The collective right to protection against ethnocide. This protection shall include, in particular, prevention of any act which has the aim or effect of depriving them of their ethnic characteristics or identity, of any form of forced assimilation or integration, of imposition of foreign life styles and of any propaganda directed against them.

6. The right to preserve their cultural identity and traditions and to pursue their own cultural development. The right to the manifestations of their cultures, including archaeological sites, artifacts, designs, technology and works of art, lie with the indigenous peoples or their members.

7. The duty of States to grant – within the resources available – the necessary assistance for the maintenance of their identity and their development.

8. The right to manifest, teach, practise and observe their own religious traditions and ceremonies, and to maintain, protect and have access to sacred sites and burial grounds for these purposes.

9. The right to maintain and use their own languages, including for administrative, judicial and other relevant purposes.

10. The right to all forms of education, including in particular the right of children to have access to education in their own languages, and to establish, structure, conduct and control their own educational systems and institutions.

11. The right to promote intercultural information and education, recognizing the dignity and diversity of their cultures, and the duty of States to take the necessary measures, among other sections of the national community, with the object of eliminating prejudices and of fostering understanding and good relations.

Erica Daes, who drafted the current principles under discussion (photo: Jens Brosted).

Part III

12. The right of ownership and possession of the lands which they have traditionally occupied. The lands may only be taken away from them with their free and informed consent as witnessed by a treaty or agreement.

13. The right to recognition of their own land-tenure systems for the protection and promotion of the use, enjoyment and occupancy of the land.

14. The right to special measures to ensure their control over surface resources pertaining to the territories they have traditionally occupied, including flora and fauna, waters and sea ice.

15. The right to reclaim land and surface resources or, where this is not possible, to seek just and fair compensation for the same, when the property has been taken away from them without consent, in particular, if such deprival has been based on theories such as those related to discovery, *terra nullius*, waste lands or idle lands. Compensation, if the parties agree, may take the form of land or resources of quality and legal status at least equal to that of the property previously owned by them.

16. The right to protection against any action or course of conduct which may result in the destruction, deterioration or pollution of their land, air, water, sea ice, wildlife or other resources without free and informed consent of the indigenous peoples affected. The right to just and fair compensation for any such action or course of conduct.

17. The duty of States to seek and obtain their consent, through appropriate mechanisms, before undertaking or permitting any programmes for the exploration or exploitation of mineral and other subsoil resources pertaining to their traditional territories. Just and fair compensation should be provided for any such activities undertaken.

Part IV

18. The right to maintain within their areas of settlement their traditional economic structures and ways of life, to be secure in the enjoyment of their own traditional means of subsistence, and to engage freely in their traditional and other economic activities, including hunting, fresh-and salt-water fishing, herding, gathering, lumbering and cultivation, without adverse discrimination. In no case may an indigenous peoples be deprived of its means of subsistence. The right to just and fair compensation if they have been so deprived.

19. The right to special State measures for the immediate, effective and continuing improvement of their social and economic conditions, with their consent, that reflect their own priorities.

20. The right to determine, plan and implement all health, housing and other social and economic programmes affecting them, as far as possible through their own institutions.

Part V

21. The right to participate fully in the political, economic and social life of their State and to have their specific character duly reflected in the legal system and in political institutions, including proper regard to and recognition of indigenous laws and customs.

22. The right to participate fully at the State level, through representatives chosen by themselves, in decision-making about the implementation of all national and international matters which may affect their life and destiny.

23. The collective right to autonomy in matters relating to their own internal and local affairs, including education, information, culture, religion, health, housing, social welfare, traditional and other economic activities, land and resources, administration and the environment, as well as internal taxation for financing these autonomous functions.

24. The right to decide upon the structures of their autonomous institutions, to select the membership of such institutions, and to determine the membership of the indigenous people concerned for these purposes.

25. The right to determine the responsibilities of individuals to their own community, consistent with universally recognized human rights and fundamental freedoms.

26. The right to traditional contacts and co-operation, including cultural and social exchanges and trade, with their own kith and kin across State boundaries in accordance with established laws and practices.

27. The duty of States to honour treaties and other agreements concluded with indigenous peoples.

Part VI

28. The individual and collective right of access to and prompt decision by mutually acceptable and fair procedures for resolving conflicts or disputes between States and indigenous peoples, groups or individuals. These procedures should include, as appropriate, negotiations, mediations, national courts and international human rights reviews and complaints mechanisms.

Ed Burnstick, 1988 (photo: Claus Oreskov).

Indigenous leaders talk on the UN Working Group and the Treaty Study

Interview with Ed Burnstick, Treaty Six, Alberta

By Claus Oreskov IWGIA-Denmark

Ed Burnstick has been working with indigenous rights in the UN since the first conference on indigenous rights in 1977. After the Working Group in 1988, he visited the offices of IWGIA where he gave an interview on his experiences and opinions. The following article is taken from that interview.

I have been working with the UN body since 1977 and there have been quite a lot of changes in attitudes by the people there and also in the understanding of the people who participate in UN fora. I was one of the organisers of the 1977 NGO Conference held in Geneva, Switzerland, but I did not really know then what way the conference would develop in the future. The first conference, I admit, focussed on the interests of Indian people in North America and some in South America, and the interest of treaty rights and indigenous rights within the Western hemisphere.

At the next conference in 1981, it seemed that people were more interested in developing something within the UN. As we all looked at the structure of the UN, we began to see what was really missing. There was nothing within the Human Rights Declarations or the Covenants that specifically outlined anything on the rights of indigenous people.

The trend through the 1981 conference was that something had to be developed and there needed to be some kind of forum. Even at the point when the Resolution was first introduced to the General Assembly that set up the Working Group on Indigenous People, I was not sure exactly what direction we were going in. As for setting up principles and standards for the rights of indigenous peoples, I didn't really think that this was something that would happen.

Now, as the years have gone by, the involvement in the UN procedure has increased dramatically, from being a very small group of people in 1981 to the recent participation of 300 - 350 people from different parts of the world. Now we are starting to get to know other indigenous people and to know about the problems of other areas, for example the Ainu from Japan, the Cordillera groups from the Philippines and other indigenous peoples from Central and South America whom we really did not know before. But what has been very helpful and something new to my people is that we feel we can really understand these people; they are going through the same issues and the same problem, that we, at one time or another, went through. There have been, and still are, killings of indigenous people going on in parts of the world, the same thing that has been going on during the last 200 years in North America. They talk about their culture, their traditional ways, their languages, their right to the land and other issues that are similar to our's. Getting to know other indigenous people has been one of the more positive aspects of the Working Group.

In the beginning, a lot of the state countries which are members of the UN system, whether members of the Human Rights Committee, the Sub-Commission or the Working Group, had a very negative attitude. This was clear from the statements they made and their opinions on the rights of indigenous people. However, this year, I found that most government representatives that were at the Working Group meeting are now coming up with more positive statements or are trying to understand exactly what is taking place within the Human Rights Commission. So I think the meetings have changed the state governments' representatives' attitudes towards indigenous people. As yet we do not know how far this will go. We are aware that there are state countries which are opposed to indigenous peoples having any human rights within a specific area; they want to have indigenous peoples' rights incorporated into the existing covenants. When we look at our rights we can see that there is a need to deal with indigenous peoples' rights.

I think too, that within the Working Group and within the UN as an institution there is also an offshoot of awareness of other groups of people. I think in Europe a lot more people have a better understanding or are, at least, trying to understand indigenous people. But for a long time, especially with the North American Indians, people had a very romantic view of indigenous people. Now, however, I think a lot of people are beginning to understand that there are very serious problems within the indigenous communities, problems with education, land, health and torture.

We are becoming more understood within the world community, but I don't think we are really looking at having all the issues solved within the UN body. There are also other alternatives that need to be dealt with and other fora that we need to approach. But the Working Group itself, through the communications we have developed there, has opened up other ways e.g. within the Un forum there is the Study on Treaties. This is looking at the treaties of indigenous peoples around the world, Canada, the US, New Zealand, etc. There are other fora being set up to deal with indigenous self-government, with rights to land, to language and many others, all of which have happened since 1977. And I hope this will continue with more of a positive approach to the real situations and problems that we have to live with day to day in our own communities. What I find encouraging, though, is that dealing with indigenous issues is not just a trend but it involves the people who are affected daily in their home communities. We are expressing our feelings and discussing issues that affect our lives.

Treaty Rights

I come from Canada, from the Treaty Six area. In this area there were a number of treaties signed between the indigenous people of Canada and the Queen of England, Queen Victoria. Subsequently the Canadian government was given its own constitution and the result has been the neglect of treaty issues. We have never had any say, or any voice, in dealing with treaty rights which are now supposedly entrenched in the Canadian constitution. The constitution set up a system basically where the Prime Minister and the first ministers of the ten provinces sat down and discussed, defined and identified existing treaty rights and aboriginal rights in four meetings. We knew that it would be impossible to deal with these issues in four meetings, especially treaty rights. The whole question of treaty rights is still up in the air. The question of treaty rights, where we stand and how we deal with the question is one area that not only the Canadian Indians but also the American Indians and other indigenous people are trying to pursue.

We are looking at the rights to different things that were promised in the treaties. As Indian people we have lived up to our side of the treaties but the rights promised to us have been neglected by the Queen of England and the Canadian government. The non-indigenous people living in Canada have had and enjoyed their treaty rights for the last 100 years. To us a treaty is an international document signed by two nations. We are also looking at dealing with the Commonwealth Heads of Government Meeting and other conferences that have taken place and how they stand on the question of relinquishing treaties from the Crown to Canada without the consent of indigenous people. In Canada, the government wants to do away with the treaty rights of the indigenous people and wants the treaties themselves to become historical documents in a museum. In fact, I think that the Canadian government is the forerunner for doing away with treaty signing with indigenous people. So I believe it is going to be a long drawn out struggle and it needs to be handled within the UN forum so that a just document of treaty rights for indigenous people can be drawn up.

Ovide Mercredi at the UNWGIP, 1988 (photo: Line Stephensen).

Canada: Indian Treaties at the UN

By Elena Arengo

In 1987, the United Nations' Sub-Commission on prevention of Discrimination and Protection of Minorities recommended the appointment of a special rapporteur to carry out a study of treaties concluded between indigenous peoples and nation-states. The study, moreover, was to assess the contemporary significance of these treaties, with the aim of protecting and promoting indigenous rights.

According to many indigenous representatives, such a study is long overdue. Indian nations in North America have signed over 350 treaties with the US government, most of which have been broken. Canadian Indians and Maoris of New Zealand have also negotiated rights through treaties which have not been respected. Native treaties, indigenous peoples argue, should be acknowledged in international law as agreements between nations.

Needless to say, the proposed study has come up with strong resistance from some states. The Sub-Commission's resolution itself was watered down substantially once it went before the Human Rights Commission, the next step in the UN human rights hierarchy: rather than a full-blown study on treaties, the Commission's resolution mandated merely a presentation of an *outline* of a future study on the subject. This indeed occurred at the 1988 sessions of the Sub-Commission's Working Group on Indigenous Populations, when special rapporteur Miguel Alfonso Martinez (the Cuban expert assigned to the task) fulfilled his mandate by presenting the outline.

It was not, however, the end of the matter. The Sub-Commission has once again recommended a complete study, which will be considered at the next Commission meeting in 1989.

The importance of the treaty-making process goes far beyond the treaties themselves. Not only do treaties constitute a formal recognition of indigenous rights, but they also recognise the sovereign capacity of indigenous nations to enter into negotiations with states. This, indigenous peoples argue, is a fundamental aspect in the exercise of self-determination.

Below is an interview conducted in August 1988 in Geneva, during the 1988 session of the UN Working Group on Indigenous Populations with Ovide Mercredi, a Cree Indian from Manitoba who came to represent the Assembly of First Nations. He spoke about the importance of a UN study in the light of the Canadian experience.

Q: Why is a study on treaties and the treaty-making process so vital for the indigenous peoples of Canada?

A: The reason it's important to have the UN do a study on treaties is because we have, in Canada, numerous treaties which have not been implemented by the government. We have tried unsuccessfully for many years to persuade the government of Canada (and not just the current Conservative regime, but previous governments as well) to fulfill the spirit and intent of those treaties. We've given them, for different parts of the country, very specific proposals on what should be done to come to a common understanding of what the terms and provisions mean to both the Indian people and those who represented the other parties to the treaty. But in each occasion, when we put forward constructive proposals, the government of Canada has failed to fulfill its treaty obligations, or for that matter even to consider proposals that would lead to a better understanding of what those obligations are.

The position of the government of Canada has been that treaty obligations are those that are written in strict legal text. But the treaty-making process, you see, is very important to Indian people because it means not just the final document that is the result. Indians made treaties between themselves before they made treaties with the white man; they had a custom and a tradition for treaty-making. And included in that custom and tradition was a whole set of principles, a whole set of procedures and rituals and ceremonies which, in essence, gave all those who participated in the ceremonies a sacred duty to tell the truth and not to make representations unless they meant them. So when the Indian treaties were made, the Indian understanding was that when the white man made promises, those were part of the treaties. But it was the white man who wrote the *text* of the treaty, not the Indian. The text of the treaty is in the English language, not in the Indian languages, so the consequence is that the document is heavily weighted in favour of the other party to the treaty.

That's why it's important to do the study: so that the Indian perspectives, the Indian understanding of the treaty, becomes part of the formal record.

Q: What is the contemporary importance of the treaty-making process?

The contemporary importance is that the treaties are a recognition of indigenous nations. Because the reality is that people who make treaties must have a basis for making them, and the basis is sovereignty. Only people with self-determination enter into treaties. Individuals don't do it; *collectivities* do. And that is why it is important to maintain the treaty-making process in Canada: because it is part of our definition of ourselves and it is an acknowledgment of our right to self-determination and of our definition of nations.

Now, quite apart from that reality, the importance of a study at the international level to us is that once you get our understanding of the treaties, you will see that they are not just surrenders of land, as the Canadian government would like us and everybody else to believe. They are economic, social and political arrangements and are far more comprehensive than what a text provides. They are documents that demostrate a relationship between peoples. And if the treaty were to be implemented, in accordance to the Indian understanding, there would be no Indian poverty in Canada, because that was the economic arrangement, the rights that were negotiated and the promises that were made. If all that had made it to the written text, it would have meant that the Indian people would have maintained control and use of resources which are denied them now. And not just in terms of the traditional economy, the traditional lifestyle that existed then. The Indian people are very forward-looking. They talked about rights to education, not only in terms of their own culture, but the white man's educational system. Those rights were guaranteed by treaty. But the Canadian government is not fulfilling those treaty rights to their full extent and is unilaterally making policies that contravene those treaty rights.

Q: What about those instances in which, as some indigenous peoples elsewhere say, the treaty-making process was a justification, or the "rubber stamp" of the process of land alienation? What value does an acknowledgement of treaties have in those cases?

A: The context is important, O.K.? There's some truth to that statement if the only information you're relying on is the current interpretations that exist in Canada about the Indian treaties. I mean the current official government interpretations. You see, the Indian view is not adequately addressed in the current federal policy or the federal laws. If that was done and the Indian context was fully understood as I described it earlier, then there is an importance that other indigenous peoples can attach to the treaty-making process. Because the treaty-making process is not just the result. The result is important, because the result is what you agree to between nations; that's the treaty. But the process that leads to it, the negotiations between peoples, that's important. Outside of treaties, what would other indigenous peoples have to claim sovereignty? It's not just symbolic. You see, when indigenous peoples want to enter into an arrangement, say in Australia, to negotiate a treaty respecting their territory, they can do it bearing in mind our experience, and they can learn from some of the weaknesses that are apparent in the treaty-making process in Canada, and that is the nonfulfillment of treaty obligations. But they shouldn't just simply dismiss the treaty-making process because of the results we are fighting in Canada. I mean the distorted results as interpreted by Canada.

Miguel Alfonso Martinez, Working Group expert and author of the proposed Treaty Study (photo: Morten Jørgensen).

Q: How do you think a study on treaties, if it does materialise in the UN, will benefit indigenous peoples who have not dealt with states through treaties in the past? I'm just thinking about what some of the South American Indians said – that they have had to deal with bullets, rather than treaties.

A: The importance of the study at the international level is the *context*. You see, we're not just dealing with the study on treaties. The United Nations symbolises more than just studies on peoples but it also symbolises *arrangements* between peoples. And *peace* is important between peoples. So when we talk about, say Nicaragua, what's the value of the treaty-making process in Nicaragua? Well, my answer is that it's very valuable, because it puts peoples on a negotiating forum and takes them out of the field of violence. That's the importance of it. Now, what is needed is for states to recognise that the treaty-making process is a viable and not just potentially important process but a natural process that can be utilised to establish relations and define relations with the indigenous peoples of their countries. And that's not to say it's going to be a one-sided agreement because if you recognise that the other people can enter into a treaty, you have to recognise that the final product has to be with their consent, and that the final product has to reflect all that's been said and agreed to, and not one party to walk away from that table and write what they *think* was agreed and for that to become the treaty. That's the case in Canada. And that, I think, is what other indigenous peoples are seeing. They're baffled by the fact that we are so strong on treaties and yet our treaties don't acknowledge our rights. But the context is important. I think that if they understand the background and the information that we have with respect to the *other* story on treaties, then they would be more sympathetic to adopting that method for dealing with the states that they come from.

You know, this is my first meeting here. But I think I'm beginning to understand the complexity of the situations affecting indigenous peoples all over the world. And that one method won't apply universally to everybody. But nonetheless, the treaty-making process should be examined carefully by everybody and see if it can be adapted to their situation.

Q: I think that it will involve an educational process to recognise the diversity that exists among indigenous peoples themselves, right?

A: Yes, the other reality is that. You see, if the United Nations does a study, it's a force for mobilisation, right? I mean, the reality is that it will provide a political focus to a very important issue in Canada, but also to a potentially important and valuable method for dealing with indigenous rights elsewhere. And it will give indigenous peoples a forum to deal with treaties as a specific issue. And through that process, which may last 5 years or more, we will *all* benefit, the indigenous peoples will all benefit. And if the governments participate, as the government of Canada does, in these meetings, they will also begin to benefit and reach a much more reasoned understanding of why our rights are important and why they should be respected by the states. Now, I'm not suggesting Canada is sympathetic and that they're on the vanguard of all the countries of the world. All I'm saying is that they're participating.

We have to have hope in this process that people will learn and that people will change their minds.

Employers at the ILO Conference debating Convention 107 (photo: L. Bianco).

Workers at the ILO Conference debating Convention 107 (photo: L. Bianco).

Indigenous Peoples at the ILO, 1988

IWGIA at the ILO Conference, June, 1988

Introduction

The International Labour Organisation meeting of June 1988 was the first opportunity to discuss the Revision of Convention 107 on Tribal and Indigenous Populations at a full conference. In September 1986, IWGIA had attended the ILO Meeting of Experts as an observer, in order to draw together some of the salient points which should be included in the revision (*for a report of this meeting and a background to Convention 107 see IWGIA Yearbook, 1986*).

The results of the meeting of experts were formed into a questionnaire and sent to governments all over the world. The comments were merged into a series of statements as to how the Convention could look. It was this set of statements which were discussed at the 1988 meeting.

The ILO Process

At the Working Group on Indigenous Populations in Geneva, in 1987, a caucus of indigenous organisations met for a week and discussed, among other things, the revision of Convention 107. This indigenous meeting expressed its opposition to the way in which the revision was taking place and recommended that the ILO delay work on the Convention until such time as indigenous peoples can take a greater part in the proceedings.

The ILO is a tripartite organisation made up of Worker's Representatives, Employers and Governments. A small number of Non-Governmental Organisations can present their opinions but this is very restricted. The revision process has reached the stage that a Committee has been formed consisting of several hundred members of the tripartite body. These were the delegates who met during the ILO Conference in June to discuss the fate of indigenous peoples.

The report of the meeting is then sent to the Plenary Session of the Conference for approval. According to ILO Procedures, once the Governing Body of the ILO has decided to place an item on the agenda of the Conference, the Conference discusses the issue for two years. Therefore, unless something unexpected happens, the revised Convention will be adopted in June 1989.

The Importance of the ILO Revision

The ILO Revision of Convention 107 is important for two main reasons:

1. As it stands now, Convention 107 is a weak and little used document, supporting only extreme violations of the rights of indigenous peoples. The language of the Convention is paternalistic and in several cases (such as on land rights) harmful. A revised Convention which is no improvement on the former document could have negative effects on the ability of indigenous peoples to receive recognition of their rights.

2. A revision of the Convention would be a support for indigenous peoples who are suffering human rights violations. If the Convention were handled well it could provide a positive set of standards supporting indigenous peoples' rights.

The contrast between these two approaches was very clear throughout the meeting of the Committee about Convention 107. Whereas some felt that the process could genuinely produce support for indigenous peoples, others considered the meeting to be a form of damage limitation.

The ILO and Indigenous Rights

The question which arose during the meeting was whether there was really any point in a labour organisation dealing with indigenous issues. It was clear that

Indigenous representatives sit at the side lines as their future is decided (photo: Survival International).

many of those openly participating in the meeting had absolutely no experience of indigenous affairs and were making decisions affecting 300 million people, unaware of the responsibility they had on their shoulders.

The participation by indigenous peoples was very limited during the meeting. Thanks, however, to lobby work by the ILO Secretariat, each indigenous organisation had the opportunity to make a brief statement on the first day of the Committee and make one address during the different stages of the discussion.

In spite of recognising the efforts of the Secretariat to enable the indigenous voice to be heard, their direct input was small. The 107 revision is unlike any other discussion of an ILO Convention. Most indigenous peoples (apart from the few who had been incorporated onto delegations by enlightened countries) were relegated to the rim of the conference hall, looking on aghast as their fundamental rights were discussed, debated, horse-traded and, more often than not, thrown out. Usually when Conventions are discussed, the people speaking represent those affected. In this case a very strange and depressing process took place because those most involved had been largely excluded from the discussion.

Getting the Indigenous Voice Through

Of the three parties in the tripartite structure of the ILO, the most conducive and understanding to the indigenous cause were the Workers. The Employers were unanimously hostile, and the Governments wavered between the two. The Workers were extremely accommodating to the indigenous points of view but they, also, had to agree to any position by consensus.

The process of the meeting was as follows:

1) The draft revision, in the form of a series of statements, was set out in Report VI(2) pages 105-112.
2) Amendments to the draft were submitted to the Secretariat and these were discussed and resolved by consensus or vote. There were 284 proposed amendments up for discussion during the meeting.
3) The indigenous peoples present formed themselves into a small group which met several times a day. This group discussed each clause or point of the revision and improved, where possible, the wording.
4) When the Indigenous Caucus had reached consensus on a series of points, it was submitted to the Workers for their approval. The points were discussed and usually approved, occasionally with small alterations.
5) The Workers then submitted these Indigenous/Workers amendments to the ILO Secretariat and they were added to the total list of amendments for discussion at the meeting.

6) At the meeting the Workers' Vice Chairman was the spokesman for the indigenous cause and had to debate these questions with the Employers and Governments.

7) The result of the vote or consensus by the Committee does not necessarily mean that any point has to go into the Revised Convention. It could be discussed again next year. Nevertheless, with the shortage of time dedicated to the process, the results of the votes are undoubtedly a strong indication of the nature of the new Convention 107.

The Political Make-Up of the Meeting

Although complicated, the revision process cannot be understood without at least some idea of the political forces involved in the process. Superficially we could say that the Workers and Indigenous Peoples were pitted against the Employers with a spectrum of Governments with difference political views in between them. To some extent this is the case, but the analysis is too simple. Each group had its differences and these were critical for understanding the issues involved:

The Workers

Whereas the Workers supported the indigenous cause in principle, we can distinguish between those representatives which had made direct consultations with grass-roots indigenous organisations, or were themselves indigenous, and those who were not experienced in indigenous issues and did not grasp the importance of some of the issues involved. Several indigenous representatives felt very frustrated about this.

The Employers

The Employers were undoubtedly expecting more of a fight during the meeting and, perhaps for this reason, were less aggressive in some of their positions than at the 1986 Meeting of Experts. The presence of some indigenous representatives as advisors to the delegation may also have accounted for this ameliorating effect. Like the Workers, however, several of the Employers were not sufficiently at ease with indigenous questions to argue the case coherently either for or against indigenous rights.

The Governments

Governments come in all shapes, sizes and hues. This Committee was no different. The greatest variation was between the Scandinavian countries, Australia, New Zealand, Portugal, Argentina, Peru and Botswana who were the most progressive (some also included indigenous advisors in their delegations) in complete contrast to the obdurate performances of the governments of Japan, Venezuela, Brazil, India and Bangladesh, which consistently promoted State as apposed to indigenous rights even, in some cases, to the point of advocating violations of the existing Convention 107.

In between these two groups lay Canada and the United States. Whereas the USA wavered between progressive stances in some matters, Canada had no such problems. In every major discussion, Canada consistently voted against any progressive recognition of indigenous rights. Indeed the delegation insisted that indigenous peoples do not exist - only populations.

The Indigenous Caucus

There was only a small Indigenous Caucus consisting of those who knew about the meeting and who were able to raise the funds to go. From Canada there was a strong contingent from the Metis, the Prairie Indian Alliance, the Assembly of First Nations and the Four Directions Council. International organisations such as the World Council of Indigenous Peoples (with representatives from its South American and Pacific/Asian regions), the Indigenous World Association and the Inuit Circumpolar Conference were also present. There was a delegation of Ainu from Japan, and from Australia, the National Coalition of Aboriginal Organisations participated initially.

The only non-indigenous support organisations present were Survival International and IWGIA who acted as observers, documenting the proceedings.

The indigenous representatives did not share the same strategic approach to the meeting. Some favoured a strong line which was critical of the ILO recommendations while others favoured a more circumspect approach.

The Issues

During the Meeting of Experts in 1986 and the present meeting there were certain issues which were critical. The issues clustered around the meaning of certain words and their consequences, which, if they were put into practice, could be enormous for indigenous peoples. When we look at the issues we can see how depressing the state of the revision of Convention 107 really is.

1. Peoples versus Populations

A fundamental definition of being indigenous is that the term refers to peoples and not to populations. "Population" is a demographic concept which need not refer to human beings. "Peoples" refers to human collectivities who are aware of their own communal identity.

Governments' fear of the term ''people'' is that in International Legal Instruments, self-determination is guaranteed to all peoples. In spite of a vast literature to the contrary, governments continue to argue the false equation between self-determination and secession from the state. This need not be the case at all. Furthermore, to suggest that independence claims are a subject for the ILO stretches credibility beyond reason. A rather confusing statement by the ILO legal expert on this issue did not clarify the question.

During the meeting an enormous discussion took place on the subject of peoples/populations. A compromise to use the term ''people'' was drawn up by the Scandinavian countries which was amended by the Indigenous Caucus and approved by several governments. On the last day this was scuttled by Canada and the Chairman of the Meeting (a Bolivian government representative). As things stand the issue has not been resolved.

2. Territories, lands and forced removal

The concept of territory is important for indigenous peoples because it includes the notion of access to environmental resources of a wide area. The word territory was approved in the 1957 version of ILO Convention. In 1988 there should have been no problem with the term, yet when a vote was taken at the meeting, according to the baroque system of vote-counting used at the ILO, the committee voted in favour of ''territory'' by less than one person. Even though territory is a preferable concept for indigenous peoples as a whole, the Indian Adivasi delegate pointed out that in India, where rights of indigenous and non-indigenous peoples are often mixed within the same locality, the term ''land'' is sometimes a more accurate descriptive term than territory.

The Australian Aborigines were adamant that there should be a clause in the Convention which allows for no removals of indigenous peoples from their territories. This position was attacked, even from within the Indigenous Caucus. In the amendments, derogation clauses (such as one allowing for removals in certain emergency circumstances and another to ensure compensation if removals should take place) rained thick and fast. In the end, the debate on land issues became so complicated that the ILO left them until 1989.

3. Development – Participation or Control, Consult or Consent

As in the Meeting of Experts in 1986, the development debate took up much of the meeting. The concept which was rejected by the Meeting of Experts – namely, participation – reared its head again as did the term ''consult''. Participation and consultation are the contemporary words for integrate; they imply that indigenous peoples should have no control or veto over projects from outside which affect them.

Full consultation and full participation were the furthest the meeting went to acknowledge indigenous peoples' right to say what happens to them. The concept of consent was traded away for some guarantee during the second afternoon and as one indigenous representative said after a vote on the fourth afternoon: "I'm afraid we've lost control!". At that point things went from bad to worse.

4. Customary Law and Force

The right of indigenous peoples to have their own laws and customs respected (this includes culture, social organisation and self-organisation) is fundamental. Very few governments would want to say publicly that they favour ethnocide (which no respect for customary law means). However, they did. Customary law as a right was thrown out of the ILO Convention by vote.

What is more, the Governments and Employers managed to ensure that in certain circumstances force could be used on indigenous peoples on their lands. The wording was phrased so that indigenous peoples should not be forced to participate in a project (the implication of this being that force was perfectly all right in other circumstances). After all, as the representative of the government of Venezuela was heard to claim, "we might need to force indigenous populations off their lands, so a blanket condemnation of force would not be appropriate".

Why is Canada so important?

Of all the countries, the role of Canada has been important in the ILO. In all of the above issues Canada consistently took a reactionary position. There are several reasons for this:

1. The majority of the indigenous participants came from Canada and their country's position was viewed with interest by other governments.
2. As a country which has been considered progressive in some of its internal policies, the other progressive countries (Scandinavia and Australia, for example) try to accommodate Canada's positions.
3. By sleight of political hand, Canada tried to act as broker between the 'anti-human rights for indigenous peoples' lobby (India, Bangladesh, Venezuela, etc.) and the progressive countries. This had the effect of completely devaluing any progressive initiative.

Several representatives pointed out what was interpreted as cynicism in the Canadian approach:

1. Canada's internal policy towards indigenous peoples is far stronger than the line they were pursuing at the ILO meeting.
2. Canada is strongly supporting the rights of indigenous northern peoples to

The Canadian government representative at the ILO meeting (photo: L. Bianco).

territories in trapping areas, and indigenous peoples and organisations including IWGIA commend this. Nevertheless trapping brings Canada an annual income of 600 million pounds a year for supporting the indigenous rights of trappers – the ILO does not.

Unfortunately, because of Canada's critical position in the process, a large measure of the responsibility for the weak resolutions produced at the meeting have to be placed at the door of Canada. This was a great disappointment to indigenous peoples and delegates alike.

Indigenous Strategies – The Aborigines Withdraw

The Indigenous Caucus was divided between those who preferred a cautious approach and those who held a critical position. The critical position supporters considered that these issues were too important to negotiate and that Governments, Employers and Workers should all know this. They considered that the more cautious approach was too soft, obsequious and promoted compromise positions which could cause indigenous peoples considerable harm. On the other hand those holding the critical-position at the meeting viewed their line as strong and as an exercise in damage limitation, in order to prevent a weak Convention giving governments an excuse to increase the oppression of indigenous peoples. The majority of exponents of the 'strong' position were Australian Aborigines, who stressed their accountability to their organisation when they returned.

Those who took the more cautious, or softer approach, as it was termed, felt that too hard a line would destroy the process and that any revised Convention would be of some use somewhere in the world. They saw their position as one of pragmatic indigenous advocates negotiating for the best possible Convention. By not antagonising the Governments (particularly Canada), they considered that it would be possible to bring the opposition round to a more or less

The ILO decide whether to allow the Aborigines to talk or not (photo: Survival International).

acceptable position. The main exponents of this position were the World Council of Indigenous Peoples (and its regions), the Four Directions Council and the Indigenous World Organisation.

In between these positions were the Inuit Circumpolar Conference, the Metis National Council and the Nordic Saami Council.

On the fifth day of the meeting the Aborigine delegation decided to withdraw. They felt that the Indigenous Caucus had not been strong enough and wanted a statement read which would make their position clear and express their great dissatisfaction with the whole revision process. At a meeting just before the speech was due to be read, the organisations taking the cautious position, vetoed the speech and replaced it with another. (*See the CISA speech which follows - Statement No. 2.*)

The caucus met later and, in order to enable the Aborigine delegation to read their speech, IWGIA and Survival International were given leave by the indigenous representatives to see if they could use their NGO credentials to provide speaking time. The application was submitted but rejected by the ILO. This appeared clearly to be an attempt by the ILO to stifle opposition to the revision process. IWGIA and Survival International were extremely concerned that this was a violation of the right for indigenous representatives to express their point of view and let this be known in no uncertain terms.

The ILO then agreed to a top level meeting between the Chairmen of the Committee, the Aboriginal Delegation, indigenous NGOs who were very concerned about the situation, Survival International and IWGIA. The result of the discussion was that the ILO agreed to adjourn the meeting in order to enable Geoff Clarke from the Aboriginal Coalition to make his speech. There is no doubt that this decision was greatly appreciated by all parties. The speech was given, it received a round of applause from the delegates, and representatives from countries as far apart as Botswana and Philippines congratulated the speaker. (*The speech, Statement No. 3, follows this report.*)

The ILO followed up this by providing the remaining Indigenous Caucus with the opportunity to speak at the closing plenary session of the Conference. The indigenous position in the speech managed to steer a principled course between the different indigenous views mentioned above. It was on the basis of this consensus that indigenous peoples will continue their work at the ILO next year. (*The position follows broadly the line taken in the first presentation by the Indigenous Caucus given by the ICC in Statement No. 1.*)

Conclusion

Although expectations were not high at the outset of this meeting, there had been some hopes that the ground which had been held at the Committee of Experts would hold once again. Unfortunately this was not to be. One by one, rights directly affecting indigenous peoples were bartered away while indigenous representatives watched, helpless, from the side-lines.

Nevertheless it should be said that some of the indigenous representatives at the meeting (who took the cautious approach) felt more positively about the outcome and considered that, taking into consideration the confines of the ILO, the results were the best that could be expected.

Many indigenous peoples from all over the world are not aware of what is taking place at the ILO. The number of indigenous representatives present has been extremely low and so there is no guarantee for the ILO that the indigenous world will accept the terms of a Revised Convention which is meant to serve their interests.

The discussion of Convention 107 at the 1988 Conference has brought out many of the unsatisfactory aspects of the process of revision:

1. Indigenous peoples have minimal representation.

The ILO decide whether to allow the Aborigines to talk or not (photo: Survival International).

2. Many delegates dealing with the question do not have the required expertise or experience to be deciding the future of indigenous peoples.
3. The way in which the voting has gone in the Convention is so backward-looking that, taking into consideration the changes which have taken place in the indigenous world since the Convention was first produced in 1957, the revised convention will hardly be a substantial improvement. Indeed in some areas it will be worse.

The question facing indigenous and support organisations is whether to "hang in there" and fight on, or whether to withdraw from the process in order to avoid too close association. Although IWGIA is an NGO with the ILO, our position is that of observer. We cannot withdraw from a process when we are already outside. All we can recommend is that if indigenous peoples are going to stay in and fight for their rights they have to do it on a much larger scale than in 1988.

From the 1988 meeting it would appear that the ILO is not the right forum to formulate indigenous rights. The paranoia of certain governments coupled with an enormous lack of understanding and interest by many delegates makes us fear for the future. Arguments have been promoted by more cautious observers that a radical convention will limit ratifications. This is to foresee problems before they have appeared. On the contrary, the way the ILO Convention is going it will be hard for any progressive country to ratify it – indeed if the reactionary ones are the only ratifiers, then it makes one wonder exactly whose interests are represented in the Convention.

At the Committee for the Application of Standards during the meeting, the government of Brazil was severely taken to task for its treatment of indigenous peoples. The result, which is reported later, showed a positive side to the Convention and how it makes a ratifying country responsible for its actions. This demonstrated the point that, as it stands, the Convention does have enough teeth to humiliate the worst excesses of governments which violate the rights of indigenous peoples.

A critical question here is whether it is worth lowering international and national standards of human rights in order to revise a Convention which has some positive aspects, even though they may be extremely limited. Indigenous peoples have to ask themselves whether they should demand again that the ILO wait with the revision until such time as it is possible for indigenous peoples to take a full part in the process. During this period, maybe, certain governments (and other interests) might become sufficiently mature and confident to respect the peoples who live within their borders.

Indigenous Statements on ILO Convention 107

The following statements show different perspectives on the revision of Convention 107. The first statement was agreed upon by all members of the Indigenous Caucus (or Aboriginal Coalition). It was presented by the Inuit Circumpolar Conference. The second statement shows the position of those who took a cautious approach. This reintroduces the concept of participation and the intervention of national legal processes in indigenous communities. It was presented by the South American Indian Council (CISA). The third statement is an example of the strong and critical postion taken at the meeting. It was made by the National Coalition of Aboriginal Organisations, Australia.

Statement No. 1

The Aboriginal Coalition (Indigenous Caucus) has requested our organisation, the Inuit Circumpolar Conference, to address today the crucial issue of "peoples" versus "populations". Based on our historical and continuing experiences, it is essential for the development and strengthening of our diverse but highly vulnerable societies that we be referred to and recognised in Convention 107 as "peoples". We are not and have never been mere "populations". What is also at stake is the credibility and overall purpose of the ILO revision process – which would be severely undermined should the terminology of the Convention continue to depict us, the world's indigenous peoples, in inaccurate and inadequate terms.

Some countries have expressed concern about the use of the term "peoples" in Convention 107. These concerns should rightfully be addressed.

It has been suggested that "peoples" could imply a right of secession, as well as "self-determination". However, it should be remembered that Convention 107 is limited to social, economic, environmental and cultural considerations. These elements form the boundaries of Convention 107. Political issues, such as self-government and other political dimensions of self-determination, have been clearly identified to be outside the scope of a revised Convention and indeed of the ILO as an organisation.

We firmly believe that specific reference to "peoples" and to "self-determination" in Convention 107 would help to achieve a necessary and positive advancement for indigenous peoples. It is the continuing lack of self-determination that keeps many indigenous societies living in a state of poverty and dependency, and with inadequate enjoyment of basic human rights even within our own territories.

It is worth noting that the United States government has indicated to the ILO that current indigenous policy in the US is one of self-determination. The US Congress readily refers to this policy in its laws pertaining to indigenous peoples.

In ILO Report VI (2), the Australian government has emphasised that "self-determination is an extremely important concept in international relations and constitutes a fundamental human right of peoples". Also a study of the UN Sub-Commision on the Prevention of Discrimination and Protection of Minorities has concluded that "self-determination is a pre-requisite and pre-condition for the implementation and preservation of all other human rights and fundamental freedoms, including the right to cultural life".

Indigenous peoples throughout the world are constantly struggling to ensure the enjoyment of basic human rights. We are incessantly working to protect and further develop our distinct societies, according to our own values and priorities. Indigenous perspectives consistently include ensuring the integrity of our environment and territories, and fostering international co-operation.

In circumpolar regions, it is certainly not Inuit or other aboriginal peoples who are seeking to militarise the Arctic. Rather, we are committed to ensuring only peaceful, life-supporting uses of the Arctic. We will continue to work towards real peace and real security for all peoples and all nations in our regions.

In the light of our perspectives and aspirations, we find it difficult to understand how referring to us as "peoples" under a revised Convention 107 in any way detracts from the overall development of independent countries. By strengthening our societies, we will only contribute further to the richness and diversity of the international community.

In the 1944 *Declaration of Philadelphia*, the ILO Conference reaffirms the fundamental principles on which the Organisation is based and emphasises the applicability of these principles to "all peoples everywhere". The Declaration appropriately refers to "social justice". It also recognises the need to "promote the economic and social advancement of the less developed regions of the world". Such regions too often include the traditional territories of indigenous peoples, even within affluent and developed countries.

If the basic objectives of the ILO are to be realised in the context of the Convention 107 revision process, government, employer and worker members alike of this Tri-Partite Committee must show the courage and conviction to make the fundamental changes to Convention 107 that aboriginal peoples urgently seek and need. If a small but significant measure of social justice is to be achieved, the revisions to the Convention must accord indigenous peoples the essential and unequivocal recognition as distinct "peoples" and not mere "populations".

This issue is of such fundamental importance to indigenous peoples that unless it is adequately included throughout the Convention, a revised Convention 107 will lack credibility and will likely be unacceptable to many indigenous peoples.

We urge you to respect our wishes and views in considering this central issue today. We are appealing to your conscience and sense of moral responsibility in exercising your judgement, since indigenous peoples still have no way of effectively participating in this key process and defending our rights and interests.

Statement No. 2

I have been asked to make a presentation on Conclusions 14 though 26, which deal essentially with the development and control of indigenous peoples – social order, internal law, and control over the internal development process.

This part of the Conclusion is at the heart of the *reorientation* of the Convention, as foreseen by the Meeting of Experts. It details the extent to which indigenous and tribal peoples should be able to maintain a distinct way of life, and an appropriate form of development which enables them to make economic and social progress without being forced to sacrifice their identity, values, or internal relationship.

Conclusions 14 to 16 deal with the development process. We believe that indigenous and tribal peoples should *control* their internal development, and also play a role in the formulation of wider regional and national development programmes which inevitably will also affect them. This is entirely consistent with the concept of *participation* as used in the development context by the United Nations, and represents an approach to strengthening the development process which has strong support in the field experience of specialised agencies such as the FAO, UNDP, and, of course, the ILO. The Workers have submitted a number of amendments to clarify and strengthen these proposed Conclusions, and we urge Governments and Employers to support them.

Conclusions 17 to 26 deal with relations between the internal legal systems of indigenous and tribal peoples, and the national legal system. We consider it *essential*, if the aim of respect for indigenous identity and self-development is to be meaningful in a *practical* sense, that internal matters be resolved under indigenous peoples' own customs and laws. We think that this should apply to internal disputes and other matters broadly, not just "crimes" as the office draft contemplates, and that ordinarily it should be subject only to internationally-recognised human rights standards. We furthermore believe that indigenous customary law should be applied in appropriate cases by *national* courts, and that procedures should be *agreed* between governments and indigenous peoples for resolving conflicts between indigenous and national law when that may arise. Finally, *it is our position that national legal processes should intervene in matters internal to indigenous communities only as a back-up where internal processes fail – and even then, standards and punishments should be adjusted to the values and preferred forms of social discipline of the communities themselves.* In all cases, the object should be to support the integrity of the community and its ability to guide its own orderly development – not to intrude, to struggle against the peoples' own convictions about justice, or to remove individuals from the community on the pretext of reforming or rehabilitating them.

We are convinced that internal regulation is far more conducive to order, development, and the preservation and free expression of cultural identity than any system of so-called social control, however benevolent its intentions, imposed on these peoples by states. In fact, the assertion of State police power within these communities, where it is ordinarily not needed, has everywhere been a chief cause of conflict, resentment, and resistance.

Dalee Sambo who made the first statement from the ICC (photo: Christian Erni).

Statement No. 3

The National Coalition of Aboriginal Organisations of Australia is withdrawing from this revision process. In good conscience, as the situation stands, we can no longer support the substance of any of the positions which have been presented to this forum.

The National Coalition is unilaterally withdrawing and the principles we hold have also been endorsed by some other indigenous peoples present here, and those with whom we have had contact over a number of years and who are not here.

Mr. Chairman, we have already seen the damage that can result from a misdirected Convention that legitimises intrusion into indigenous territories, societies and cultures. The integrationist purpose of the present Convention endorsed governments' actions that were destructive to our peoples. Many indigenous peoples who thrived in their own territories in 1957 no longer exist as distinct societies in ratifying States as well as in those States which have not ratified Convention 107. And this is to the shame of the international community. The ILO has now decided to give new life and presumably new direction to this Convention, but again, it is without the direct involvement of indigenous peoples.

Australia Aborigine delegation at ILO (photo: Survival International).

Mr. Chairman, last summer a large pre-sessional meeting of indigenous peoples' representatives at the United Nations Working Group passed a resolution calling on the ILO to defer this process until procedures could be developed for full indigenous involvement in the revision of Convention 107. This request was not respected and as a result some of us find ourselves sitting in the back of the room watching you.

We, of course, respect and recognise that this is your forum and that you have the power, although not the moral right, to create standards independently of our wishes. But Convention 107 is an extraordinary instrument within your structures and perhaps extraordinary procedures should be devised to deal with its revision.

In any case, we have some time now, although very brief, to let our concerns be known and to offer some of our observations and perspectives.

We remind you that great changes have occurred since 1957 and that indigenous peoples will no longer have standards imposed upon us. The viability and effectiveness of a revised Convention depends as much on *our* acceptance and co-operation as it does on honest implementation by governments.

We, along with others, will be reporting our observations widely and the results of your Conference will be closely measured against our definitions of our fundamental rights.

At this point, we want to make it quite clear that our organisation, the National Coalition of Aboriginal Organisations from Australia, was not a party to, nor can we accept the positions taken in, the last statement (No. 2) made to this tripartite Committee supposedly on behalf of the indigenous working group. There has not been consensus on any position put from the indigenous working group to this Committee.

We would like to make our own principles available to the Committee.

In the first instance, we are *peoples* and demand to be respected as such. We are not asking for that status, we already have it. It is what we are in fact, and no twist of language can deprive us of our identity. If this body is not prepared to accept this most basic element of our consciousness of ourselves and the reality of our existence, we wonder why we are all here because your work will have no credibility with us.

Secondly, we define our rights in terms of *self-determination*. We are not looking to dismember your States and you know it. But we do insist on the right to control our territories, our resources, the organisation of our societies, our own decision-making institutions, and the maintenance of our own cultures and ways of life.

We are not asking for this right – it is our birthright. We are ancient peoples and we remind you that it was you who came to us. You came to take and you are still taking, although we have little enough left for our own subsistence. And, although we are not asking for a right which we already possess as *peoples*, we insist that our relationships with all of you be based upon the recognition of, and respect for, that right.

In our terms, that respect can only be guaranteed by ensuring that matters affecting us require our *consent*. Governments and employers know this full well in defending their interests. Do you think that we are unaware of the actual meaning of words like consultation, participation and collaboration? Would you be satisfied with "consultation" as a guarantee for your rights? Unless governments are obligated to obtain our consent, we remain vulnerable to legislative and executive whims that inevitably will result in further dispossession and social disintegration of our peoples. The victims are always the first to know how the system operates.

Mr. Chairman, we have heard a number of governments piously refer to their national legislation and attempt to restrict this Convention to the limits of that law. Are these legislatures inactive? In every other area of human rights law, including international labour standards, the international community has recognised rights and established minimum standards of behaviour to which governments must conform. Are the rights of indigenous and tribal peoples less important?

We know that many governments simply do not want to give up the total power that they exercise over our peoples and our territories. However, the reality is that, if this Convention is to have any meaning, they must. Unless governments are prepared to trust that we can develop relationships with them on the basis of free consent and mutual respect, we will continue to be threatened and victimised with predictably destructive results. Consultations, participation and collaborations will not change that fact. Mere words without substantial change may make this body feel better, but we know, and will continue to speak out about the realities.

On the question of culture – we can assure the international community that our peoples respect human rights and demand the same respect in return. We cannot, however, accept that the free exercise of our cultures can be limited by the decisions of others.

Finally, we want to address the very central issue of territorial rights and here again we want there to be no mistake, we absolutely divorce ourselves from the position taken by some other councils at both the Committee of Experts meeting and this meeting. Under no circumstances can indigenous peoples ever agree to any qualification to our right to land – that means no removals, no relocations and no dispossession under any circumstances.

It is inconceivable that indigenous peoples living in their territories would ever state any other position. In addition, the territories must be inalienable. Both historical and contemporary reality have demonstrated, without contradiction, that where indigenous lands are not inalienable, they are lost.

Those organisations which represent actual grassroots communities and are accountable, and I repeat, accountable to these communities, came to this meeting with a clear mind on these principles. But there are very few present in this revision process. These principles have been expressed over and over again in all kinds of fora by indigenous peoples in the strongest possible terms concerning these issues.

In conclusion, Mr Chairman, there is, of course, a great deal more to say on these important and fundamental issues from our perspective but we hope that what we have had time to say will be considered seriously and with respect by this body.

And on behalf of the indigenous peoples of Australia, we make this statement with the greatest respect to this organisation. No disrespect is intended. We acknowledge that this body was founded upon the most principled ideals, so let us be clear, what this Committee is discussing here is our very survival as indigenous peoples. We must speak out at least and make our position absolutely clear.

Thank you for your time and attention.

IWGIA Telex to Brazil Concerning ILO Conference 1988

Brazilian position put by Gilberto Martins from the Geneva Mission

Committee on the Application of Standards: Brazil criticised in March report of Committee concerning treatment of Indians (Report III (Part 4A: pp.282-285)). Brazil provided written answer which was not considered sufficient.

14th June Martins made 30 minute statement. He said: There are problems applying Convention 107 which raises national sovereignty questions. Government does not support invasions of Indian lands. Goal to guarantee 83 million hectares for Indians (10% of national territory). Indigenous lands belong to Union with permanent usufruct recognised for Indians. Delimitation is slow process but speeding up. Between 1910-1984 12 million hectares delimited, between 1985-1987 20 million. Will establish Yanomami reserve but not easy to do quickly. Now at final stage of demarcation of 8 million hectares. Aware of mining threats and will try to prevent violations. FUNAI gives this priority. Calha Norte integrated development programme including indigenous land demarcation. Will guarantee indigenous land demarcation within 150 kilometre strip. BR-364 highway has actually made indigenous land demarcation in Acre possible. New constitution will guarantee Indian lands and with congress and Indian approval mining and provision of royalties.

Comments: Employers' expert considered statement should be reviewed carefully – needs verification of accuracy. Workers saw statement as tranquiliser for Committee and blamed FUNAI (President of FUNAI sitting in on session but said nothing). Mr. Thomas from Wales (Worker) then made moving and spirited defence of the Yanomami accusing FUNAI of neglect. Committee as a whole expressed deep concern about situation of Brazilian Indians while noting positive development concerning the constitution.

Indigenous Rights Centres – a Directory

Research, Education and Legal Service

Compiled by Jens Brøsted

Introduction

The following directory of indigenous rights centres was prepared during 1988 and early 1989 in order to contribute to an overview of institutions with responsibilities towards indigenous or aboriginal rights in different parts of the world. The list was drafted with particular reference to legal and legal-historical research and education, but it also includes legal services. General human rights centres are included only if they have special programme priorities dealing with indigenous peoples. The directory has been prepared in the hope of strengthening the field and to facilitate communication between institutions and individuals in the area.

In spite of the important activities carried out by the organisations listed below, the situation of indigenous peoples is still under-represented in legal research, and relatively few indigenous persons have obtained law degrees or professional positions in law. At a time when international human rights organisations stress the importance of general access to information on human rights and teaching in human rights, one may note that human rights fora could very well stress the importance of promoting independent research and education in indigenous legal rights.

The list includes centres of varying size ranging from those with only a few personnel to those with a staff of 35. With respect to universities, as far as possible, the information indicates regular programmes. Institutions working particularly with indigenous legal questions are written in capital letters. The directory does not cover indigenous organisations or support organisations; that would be a useful future project.

The indigenous rights centres mentioned below have been provided on the basis of a preliminary list which has been widely circulated and on the comments received in reply. Further information will be gratefully received.

AUSTRALIA

University

a. specialised institutions

ABORIGINAL LAW CENTRE
University of New South Wales
Faculty of Law
The University of New South Wales
P.O.Box 1
Kensington, N.S.W. 2033

Established: April 23,1981 as the Aboriginal Law Research Unit (name change from February 1986) to develop and co-ordinate research, teaching and dissemination of information in the multidisciplinary area of the relationship between Aboriginal peoples and the law.
Publications: Aboriginal Law Bulletin, 1981 -
Aboriginal Law Notes, 1982 -
Annual Reports
Directory of Aboriginal Legal Services, 1st ed. 1981, 2nd ed. 1983.

b. positions and/or specialists in aboriginal legal issues are found at several universities including:

- Australian Institute of Aboriginal Studies;
- La Trobe University;
- Macquarie University;
- Monash University; Faculty of Law and Aboriginal Resource Centre;
- University of Adelaide;
- University of Melbourne;
- University of Sydney;
- University of Queensland

Private research institutions and/or legal services

NATIONAL ABORIGINAL AND ISLANDER LEGAL SERVICES SECRETARIAT (NAILSS) NGO status (Aboriginal controlled)
Aboriginal Legal Services to be found at State/Territorial and local level

CANADA

University

a. specialised institutions:

NATIVE LAW CENTRE
University of Saskatchewan
Diefenbaker Centre
Saskatoon, Sask. S7N 0W0

Established: 1975 to encourage and support independent research into problems and topics affecting the law and native people. Functions as resource centre in native law and is accessible through interlibrary loan. Through the national Program of Legal Studies for Native People, the Centre offers an orientation programme of 8 weeks pre-law summer school.
Publications: Canadian Native Law Reporter 1977/78 published as C.N. Law Bulletin Legal Information Service, Canadian Native Law Cases, 1763-1973, Vol. 1 – 7.
Studies in Aboriginal Rights, other monographs.

b. positions and/or specialists in indigenous legal issues are found at several universities including:

- Carleton University;

- Dalhousie University;

- McGill University;

- Ottawa University, Faculty of Law, and Human Rights Research and Education Centre
Publications: Canadian Yearbook on Human Rights, Human Rights Bulletin;

- Queen's University;

- Saskatchewan Indian Federated College (Indian-controlled university-level college, federated with the University of Regina), Regina Campus – Centre for International Indigenous Studies and Development: 127 College West, Regina, Sas. S4S 0A2. Saskatoon Campus;

- Simon Fraser University. The Northern Justice Society Resource Centre: c/o School of Criminology, Burnaby, B.C. V5A 1S6.

Established: 1984 to research literature and provide materials on northern and rural justice issues, with particular reference to native North Americans.
Publications: Native North Americans: Crime, Conflict and Criminal Justice (a research bibliography), reference materials, Film/Video Guide;

- Trent University

- University of British Columbia. Native Law Program (recruitment programme for native students for the regular law school programme);

- University of Calgary. Canadian Institute of Resources Law, Faculty of Law, 2500 University Drive N.W.
Publications: various on aboriginal resources rights, Resources, Newsletter of the CIRL (4/y);

- University of Manitoba;

- University of New Brunswick;

- University of Saskatchewan. College of Law, Graduate Studies Program specialising in aboriginal rights;

- York University. Faculty of Law, Osgoode Hall Law School. 4 faculty members with expertise in the area, extensive library holdings, native rights course in Law School programme and specialised graduate programme on aboriginal rights under preparation.

Professional organisations and interest organisations

ABORIGINAL PEOPLES AND THE LAW SECTION OF THE CANADIAN ASSOCIATION OF LAW TEACHERS
50 O'Connor Street – Suite 902
Ottawa, Ontario K1P 6L2
Activity: Annual workshops and publication sponsorship.

INDIGENOUS BAR ASSOCIATION

NATIVE JUSTICE SECTION OF THE CANADIAN BAR ASSOCIATION
50 O'Connor, Suite 902
Ottawa, Ontario K1P 6L2

NORTH AMERICAN REGIONAL WORK GROUP (NARWG) OF THE COMMISSION ON FOLK LAW AND LEGAL PLURALISM
Contact person: Prof. Bradford Morse
University of Ottawa

Faculty of Law - Common Law
57 Copernicus, Ottawa, Ontario K1N 6N5
Publications: Newsletter

FINLAND

University

b. specialist in indigenous legal issues are found at:

- Lapin Korkeakoulu (University of Lappland), Rovaniemi.

INTERNATIONAL AND REGIONAL ORGANISATIONS

United Nations

HUMAN RIGHTS CENTRE
Palais des Nations
CH-1211 Geneve 10, Schweitz

INTERNATIONAL LABOUR OFFICE
4, Route des Morillons
CH-1211 Geneve 22, Schweitz

Organisation of American States

Inter-American Indian Institute
Insurgentes Sur 1690
Col Florida
01030 Mexico D.F.,Mexico.
Established: based on the 1940 Convention relating to the Inter-American Indian Conferences and the Inter-American Indian Institute, this institute was formally recognised in 1953 as a specialised organisation of the OAS.
Publications: Anuario Indigenista, América Indígena (quarterly), Noticias Indigenistas (Bulletin) published separately in English as Indian News of the Maericas, Legislación Indigenista, a series of compilations.

Joint Nordic Research Institute

SAAMI INSTITUHTTA (Nordic Saami Institute)
Section on Economy, Environment and Law
P.O.Box 220
N-9520 Guov'dageai'dno/Kautokeino, Norway.

Established: 1973 to form a basis of Saami research in the context of Saami thinking and needs, and to enable the Saami to develop their own expertise. The Nordic Saami Institute works on a wide range of subject matters, including law and legal/historical research in Saami rights. Conducts projects and seminars.
Publications: Diedut (irregular series), Annual Report (in Saami, Norwegian, Swedish & Finnish).

Professional Organisations

INDIGENOUS RIGHTS AND DEVELOPMENT LAW, Section on
of the INTERNATIONAL BAR ASSOCIATION
2 Harewood Place
Hannover Square
London, W1R 9HB, England.

AOTEAROA - NEW ZEALAND

University

b. positions and/or specialists in indigenous legal issues:

- Otago University starting Maori Land Law course in 1989;
- University of Auckland: Maori Land Law course, 2 faculty members with speciality in the subject, one post specifically designated as a Maori appointment;
- University of Waikato: Centre for Maori Studies and Research;
- Victoria University of Wellington: Maori Land Law course;

Private research institutions and/or legal services

Kia Mphio Kia Marama Trust
P O Box 5826
Wellesley St., Auckland.

Maori Legal Services
P O Box 6528, Wellington.

NORWAY

University

b. positions and/or specialists in indigenous legal issues will be found at:

- Universitetet i Bergen;
- Universitetet i Oslo;

U.S.A.

University

a. specialised institutions

THE FOURTH WORLD CENTER FOR THE STUDY OF INDIGENOUS LAW OF INDIGENOUS LAW AND POLITICS
Department of Political Science
University of Colorado at Denver
1200 Larimer Street
Campus Box 181
Denver, CO 80204
Publications: Fourth World Bulletin - Issues in Indigenous Law and Politics.

INDIAN LAW AND HISTORY COLLECTION
University of Tulsa
3120 E 4th Pl.
Tulsa, Okla. 74104

COLLEGE OF LAW
University of Oklahoma
300 Timberdell Rd.
Norman, Okla. 73019
Publications: American Indian Law Review (2/year)

b. positions and/or specialists in indigenous legal issues are found at several universities including:

- Benjamin N. Cardozo School of Law/Yeshiva University;
- Brigham Young University;

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- California Western School of Law;
- Georgetown University;
- Golden Gate University;
- Harvard;
- Montana State University;
- St. Mary's University of San Antonio;
- University of Alaska, Fairbanks;
- University of Alaska, Anchorage;
- University of California at Berkley;
- University of California, Los Angeles;
- University of Colorado at Boulder. 3 faculty members with expertise in the area. Indian law course offered annually and, from 1989, a seminar in advanced Indian law;
- University of Hawaii;
- University of Iowa;
- University of North Dakota;
- University of Notre Dame;
- University of Oregon;
- University of Washington;
- Western New England College.

Private research institutions and/or legal services

AMERICAN INDIAN LAW CENTER, Inc.
1117 Stanford, N.E.
P.O.Box 4456 - Station A
Albuquerque, New Mexico 87131

Established: 1967 originally as part of the School of Law at the University of New Mexico. In 1976 it was reorganised at the request of funding agencies, but maintained Law School location.

It offers research, training and policy analysis on broad range of legal and

governmental issues. Administers the Special Scholarship Program in Law for American Indians and operates a special 8 week Summer Pre-Law Session for American Indians with an interest in attending a law school.
Publications: American Indian Law Newsletter (bimonthly) Publications include: Felix Cohen's Handbook of American Indian Law.(repr. of orig. ed.), Manuals for tribal judges, courts and other law related areas, Audiovisuals.
Organisations: American Indian Law Students Association at same address.
Publications: Newsletter.

AMERICAN INDIAN RESOURCES INSTITUTE
319 MacArthur Blvd.
Oakland, CA 94610

ASSOCIATION ON AMERICAN INDIAN AFFAIRS
95 Madison Avenue
New York, New York 10016
Publications: Indian Affairs (Quarterly)

INDIAN LAW RESOURCE CENTER NGO status
601 E Street, S.E.
Washington, D.C. 20003
Established: 1978 as a legal, educational, counselling and research service for Indians in the Western Hemisphere. Irregular conferences.
Publications: Indian Rights-Human Rights (Handbook), various reports and articles.

INSTITUTE FOR THE DEVELOPMENT OF INDIAN LAW
1104 Glyndon St. SE
Vienna, Virginia 22180
Established: 1971 as a training centre on federal Indian law and as public interest law firm. Library of 1500 volumes.
Publications: American Indian Journal, American Indian Treaty Series, various other publications, including Indian Legal Curriculum and Training.

NATIVE AMERICAN RIGHTS FUND
1506 Broadway
Boulder, Colorado 80302
Established: 1970 to represent Indian individuals and tribes in legal matters of national significance.

Includes: National Indian Law Library (NILL) containing 4000 files of Indian law cases, studies, and hearings.

Publications: Annual Report, NILL Cumulative Catalogue (Per.Suppl.), Indian Law Developments, Indian Law Support Center Reporter (6/year), NARF Legal Review (quarterly) (previously Announcements), Indian Claims Commission Decisions (43 Vols. & Index), Manuals and Handbooks on various aspects of Indian rights.

Regional branch offices:
D.C. Office: 1712 N Street, N.W.,
Washington, D.C. 20036.
Alaska Office: 310 K Street, Suite 708
Anchorage, Alaska 99501.

16 legal aid organisations are listed in R.S. Jones: Indian and Indian-Interest Organisations. Congressional Research Service, 1978.

Publications: California Indian Legal Services Newsletter, D.N.A. in Action, D.N.A Peoples' Legal Services.

Professional organisations and interest organisations

AMERICAN INDIAN COURT CLERKS ASSOCIATION
1000 Connecticutt Avenue, N.W.
Washngton D.C. 20036
Publications: American Indian Courtline (irregular)

AMERICAN INDIAN LAWYER TRAINING PROGRAM, Inc.
319 MacArthur Blvd.
Oakland, CA 94610
Publications: Indian Law Reporter (monthly)

INDIAN RIGHTS ASSOCIATION
1505 Race Street
Philadelphia, Pensylvania 19102

Established: 1882 for protection of the legal and human rights of American Indians and promotion of their welfare. Archives and library of 1200 texts and journals. Annual meetings.

Publications: Indian Truth (bimonthly), with special issues pamphlets and map of American Indian Land and Communities.

NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION
1000 Connecticut Avenue, suite 401
Washington, D.C. 20036
Publications: National American Indian Court Judges Indian Court Newsletter (irregular).

SECTION ON NATIVE AMERICAN RIGHTS
Association of American Law Schools
One Dupont Circle, N.W.
Washington, D.C. 20036

A typical scene of destruction as development advances on the Amazon (photo: Delender/The Ecologist).

Funding Deforestation: Conservation Woes at the World Bank

By Bruce Rich

The World Bank had a tough year in 1988. The globe's largest development bureaucracy is still recovering from a demoralising reorganisation that involved the sacking of 300 of its approximately 6,000 staff members. Congress approved the US's share of a requested $75 billion capital increase only reluctantly. The bank was lambasted on Capitol Hill and in the financial press for its inaction in addressing the Third World debt crisis. In only one area, the environment, did the bank try to take decisive action to stem a rising torrent of criticism.

That attempted turnaround dates back to May 5, 1987, when president Barber Conable delivered a startling speech in Washington on the World Bank and the environment. Conable acknowledged that the bank's ecological record had failed to match the claims of its public relations staff. ''If the World Bank has been part of the problem in the past,'' he said, ''it can and will be a strong force in finding solutions in the future.'' Conable also felt constrained to deliver a public *mea culpa* for a single project – the gigantic road-building and agricultural colonisation scheme in northwest Brazil known as Polonoroeste, where he admitted that ''the bank misread the human, institutional and physical realities of the jungle and frontier.''

The recent murder of Chico Mendes, a leader of the Brazilian rubber tappers' union, illustrates that the political stakes associated with such international bank projects are high. Mendes had led a campaign in recent years protesting unsustainable cattle ranching and agricultural development in Polonoroeste and other projects in northwest Brazil partly financed by World Bank and Inter-American Development Bank loans. Over the past year and a half, local authorities and the banks have come to support the proposal of the rubber tappers to set aside protected rain forest areas, under their management, to be known as ''extractive reserves.'' Mendes was gunned down on December 22nd by an assassin hired by several landowners and ranchers who rightly saw his victories as a threat to their interests.

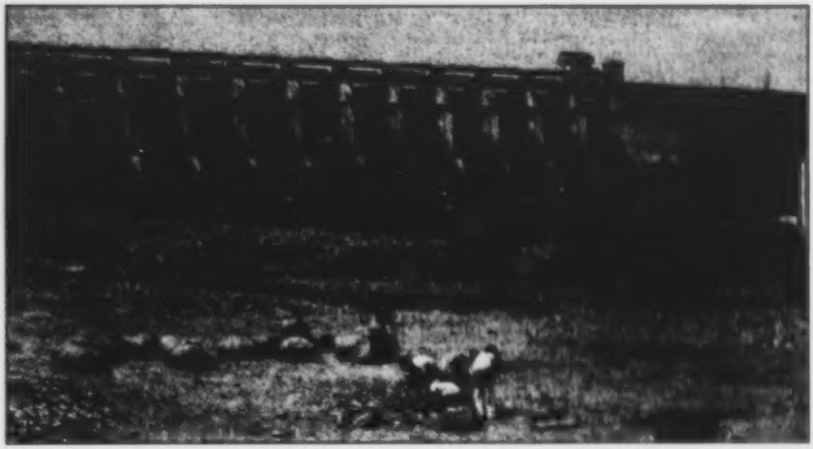
Polonoroeste was one of several World Bank-financed development debacles targeted by environmental and indigenous groups in an unprecedented international effort to draw attention to the failings of the multilateral development banks (MDBs). The ''MDB campaign,'' as it came to be known, led to front-page articles in *The New York Times* and *The Wall Street Journal*. And two weeks before Conable's speech, on Easter Sunday, *60 Minutes* ran a scathing indictment of Polonoroeste, accusing the bank of contributing to the deforestation of a rain forest the size of Britain at a cost of nearly half a billion dollars - over the objections of its own technical staff.

The MDB campaign also won influential bipartisan support from Congressional leaders like Representative David Obey and Senators Robert Kasten and Daniel Inouye. Pressure from environmental groups resulted in some twenty four Congressional hearings, twelve of which were called specifically to investigate the ecological performance of the MDBs. Thousands of pages of testimony documented the extent of environmental negligence by the banks and spurred Congress to enact legislation, beginning in late 1985, that required the US executive directors of the banks to promote environmental reform and report back regularly on their progress.

The reforms that Conable announced in May 1987 closely reflected this pressure. He vowed to create a new, greatly expanded central environment department and to establish environmental assessment units to monitor projects in each of the World Bank's four operating regions (Asia; Africa; Latin America and the Caribbean; Europe and the Middle East). Conable also promised funding for several environmentally beneficial programmes, including a doubling in forestry lending, and emphasised the need to collaborate more with various non-governmental organisations.

Twenty months later, however, the gap is growing between the World Bank's environmental rhetoric and conditions in the field in some of its largest lending programmes. This is especially true of two key areas that were to be monitored by the bank's new environmental department and regional environmental units: the equitable treatment of tribal populations and of those forcibly resettled by development projects. In Indian and Brazil, the bank's projects have helped create what Theyer Scudder, an anthropologist and World Bank consultant, terms ''development refugees.''

In some cases, the militancy of local people whose lives have been disrupted by bank-financed activities has reached the threshold of civil disorder. In early 1988, for example, massive demonstrations took place at two World Bank project sites in India. At the Singrauli thermal power plant, in the state of Uttar Pradesh, extensive air and water pollution and the forced displacement (without compensation) of 23,000 rural poor have created a situation that the Indian press



The Tawa Dam, part of the Narmada project (photo: David Dawdy/ The Ecologist).

compares to "the lower circle of Dante's Inferno." Indian non-governmental groups had documented massive environmental and public health problems there for years and World Bank involvement spans a decade, but the bank refused to consider emergency remedial measures until late last year. Last February 5th, an angry crowd of more than 15,000 marched through Singrauli castigating the bank and the state power company for what one Indian national magazine called a "continuing record of deliberate neglect and apathy." Only a few days earlier, on January 30, 4,000 people had staged a protest at the bank-financed Sardar Sarovar dam site in Gujarat state, against what they maintained were totally inadequate provisions for their resettlement and rehabilitation. Not until October did a special World Bank mission travel to India to meet with representatives of the displaced people of Singrauli and visit the sites of three other bank-funded thermal power plants, where tens of thousands of local inhabitants have been similarly uprooted.

A 1987 World Bank report leaked to the Brazilian press reveals that in Polonoroeste, where conditions continue to deteriorate, there has been systematic pillaging of Indian lands, widespread corruption and fraud in the Federal Indian Protection Agency, FUNAI, and "constant epidemics of tuberculosis, measles and malaria." The bank is preparing still another $200 million agricultural loan for Polonoroeste, despite a letter the soon-to-be-assassinated Mendes sent to Conable last October warning of grave design flaws in the project. Elsewhere in Brazil, at the gigantic Carajas iron ore project, the bank has refused to heed international demands that it take steps to prevent massive deforestation.

At Carajas, a proposed series of charcoal-fired pig iron smelters will buy ore from a bank-financed mine and transport it on a bank-financed railroad. The project risks destroying an expanse of tropical forest the size of Wisconsin and clearly violates the environmental conditions stipulated in the bank's loan agreement with the Brazilian state mining company.

The bank's failure to deliver on president Conable's 1987 promises is all the more embarrassing because it has been proclaiming its Green sympathies for a very long time - since 1970, to be exact, or two years before the landmark Stockholm Conference on the Human Environment. In that year it created the post of environmental adviser, which was expanded three years later into an Office of Environmental Affairs. Yet until May 1987 the burden of reviewing the environmental impact of more than 300 new projects each year (as well as hundreds of ongoing projects) fell entirely on just three people, and the office had a staff of only seven. One solitary employee was available to review projects in agriculture, energy and transportation, which have accounted for more than half the bank's lending in recent years. Not until 1984 did the bank issue a comprehensive set of environmental policies and procedures to be followed.

Observers of the bank's awkward attempt to ''Green'' itself now fear that Conable's 1987 speech may have been the high point of the effort. It took more than a year to find a new director for the environmental department, and several early choices for the post turned it down. This was hardly surprising, given that the director must report to both a vice president and a senior vice president, neither of whom was known inside the bank for having strong environmental sympathies. David Hopper, the senior vice president in question, espoused a rather Kissingeresque approach in a 1987 British television interview, declaring, ''Lets' face it: You can't have development without people getting hurt.''

The size of the staff promised for the new department also shrank mystifyingly, from a hundred initially - the figure cited by Hopper the day after Conable's speech - to only twenty-three finally appointed. In addition to these, a total of twenty-two positions were authorised in the four regional environmental assessment units. Counting bodies is not a trivial exercise: critics regard it as one of the few measurable indicators of the bank's commitment to improve its ecological performance. Yet the critics may have underestimated the degree to which a ''reorganised'' bureaucracy could hamstring the bank's environmental policies - no matter how many new employees were in place.

The effectiveness of the environmental policies is tied up with a basic dichotomy in the bank's structure, which the reorganisation of 1987 appears only to have exacerbated. The environmental department was put under a new senior vice president to bring together the bank's policy and research work under a single umbrella. But the reorganisation greatly strengthened the autonomy and power of the four regional vice presidents and the regional officials who manage bank projects on a day-to-day basis. The environmental department therefore often finds itself marginalised from the project staff in the field, and has little real impact on the bank's operations and lending priorities.

This dilemma is partly what the environmental assessment units were set up to counter. But they have been given neither a sufficient budget nor authority to assure essential ecological design changes in projects, except at the request of the project officers and country directors. And those officials have little incentive to make such requests, since environmental modifications would risk slowing down the processing of projects and loans. And it's that momentum, of course, not the environmental quality of a project, that advances careers.

Indeed, the World Bank's public commitment to ecological sustainability, which requires close monitoring of projects, seems to clash head-on with the much stronger imperative for operations personnel to increase the total volume of lending despite their reduced staffs. The bank's general capital increase will mean a doubling of its total lending capacity, and projected annual loan increases of 20 per cent are foreseen for the next several years. This situation is made worse by the bank's confused effort to alleviate the debt crisis indirectly through an increasing number of "nonproject" structural adjustment and sectoral loans, granted in exchange for private sector and export-oriented macroeconomic reforms. But the record of World Bank-International Monetary Fund "adjustment" policies in the Third World since the Mexican debt crisis of 1982 is dismal. By steadfastly ignoring the need to forgive or at least write down the debt, adjustment loans have led to lower living standards and accelerated pressures to deplete non-renewable natural resources. And they have brought poor countries to the brink of destitution and political chaos.

The bottom line is that the bank is still failing to implement its environmental guidelines or enforce environmental loan conditions in a significant number of important projects

Nor is there any sign of a change in lending priorities, even where economic good sense favours a shift toward more environmentally benign projects. In Brazil, for example, the bank is lending over $1 billion to help finance a power-sector investment plan that will provide dozens of new dams in the Amazon region and elsewhere. The scheme will flood an area the size of Indiana, forcibly relocate up to half a million people and open up wilderness areas for migration and deforestation.

Yet a study commissioned by the bank in 1986 concluded that fully half of Brazil's projected new energy generating needs by the year 2000 could be handled by conservation and by greater efficiency from industrial consumers. The study estimated that the investment required would be less than $10 billion – as

The Tucurui Dam in Brazil, Amazonia's Biggest Dam (photo: International Dams Newsletter).

opposed to $44 billion for the new infrastructure. Yet as far as some of the World Bank's operations staff in Brazil were concerned, the study might as well have been prepared on the moon.

One of the principal – if unstated – goals of the bank's loans to Brazil's power sector has been to provide foreign exchange to help the Brazilian government service its debt. In fact, the minutes of a 1986 World Bank executive board meeting that approved a $500 million power-sector loan quoted an unnamed bank director as remarking that "the project oozed of balance-of-payments support." (Of the $500 million, just $1 million was allocated to energy conservation.) But the net result of loans like these will be to increase Brazil's foreign debt by more than $1 billion and finance a power investment plan whose consequences will be not only gross economic waste but tragic ecological destruction that could have been avoided.

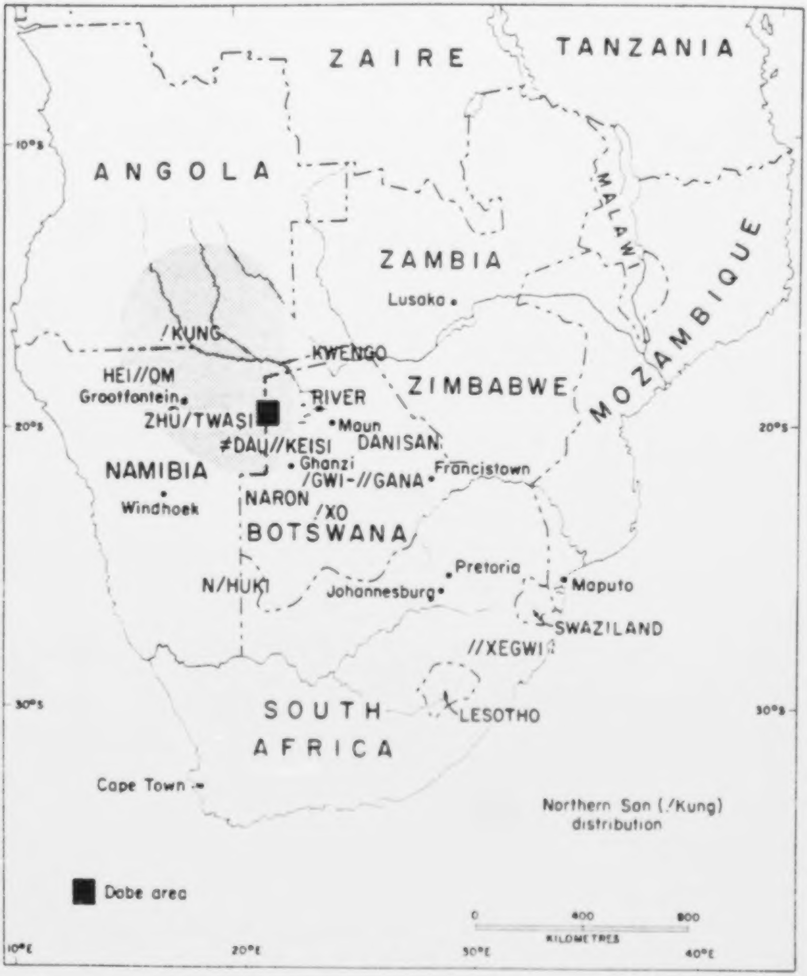
The controversy over the World Bank's environmental record is linked to the fundamental issue of public accountability – both to taxpayers in the industrialised donor countries and to those whose lives are directly affected by bank projects. Accountability, in turn, is inseparable from the question of public access to information on its projects, which the bank jealously restricts. Without that, no informed discussion of alternatives is possible. Pressure is now building for a kind of *glasnost* in the bank: Congress has already passed legislation enjoining the US executive directors of MDBs to promote the informed participation of local populations affected by their development projects. Last spring the World Bank's senior vice president for operations, Moeen Qureshi, declared that improving the environmental quality and economic equity of bank projects was linked to more involvement with non-governmental grass-roots organisations.

Despite the sorry record of ecological havoc and bureaucratic intransigence, many of the changes in the World Bank over the past year could, with official encouragement, bring lasting benefits. An expanded environmental staff is in place and could be made more effective. A $100 million loan now in the pipeline will support national environmental institutions in Brazil, and the power-sector loans, though geared to a flawed investment plan, do provide for environmental assessment units in Brazil's regional electric utilities. Individual operations staff, acting on their own initiative, have provided for environmental safeguards in a number of projects in Asia and Africa. Belatedly, it appears that the bank is at last planning to rehabilitate and resettle those displaced by its thermal power projects in India.

The commitment from the top, at least from Conable and Qureshi, appears to be sincere, if increasingly subverted by the bank bureaucracy's special talent for camouflaging unchanged behaviour in the newest development doublespeak. The latest example of this is the slogan "sustainable development," which is recited like a mantra in Washington and MDB circles.

Meanwhile, the environmental MDB campaign is gaining support in other countries, particularly those of northern Europe. Non-governmental organisations are determined to make the World Bank match its escalating ecological rhetoric with deeds. Hundreds of millions of people in the developing world will depend on the conservation of forests and other natural resources for their survival. The murder of Chico Mendes is only the latest reminder that this is a struggle of life and death.

Source: The Nation, January 23, 1989



A Map of Southern Africa showing San areas. Source R.B. Lee, 1979.

San, Human Rights and Development in Southern Africa

By Robert Hitchcock and Sam Totten

In the past twenty years there has been a dramatic upsurge in activity to promote human rights for indigenous peoples around the world. An increasing number of calls have been heard from indigenous groups for the protection of their civil and political rights. In the case of Africa, attention has concentrated on what can broadly be called socioeconomic rights, especially the right of everyone to a standard of living that is adequate to assure health and well being; sufficient food, water and shelter; and social security. The plight of indigenous peoples in Africa has been underscored by the spectre of starvation and widespread growing poverty.

Much of the attention paid to injustice in Africa is focussed on *apartheid* in South Africa. Yet apartheid, or separate development, has been practised by most states of the world in their dealings with indigenous peoples. These groups have been denied access to land; they have been moved into reserves; their rights to hunt, gather, and raise crops have been curtailed; and they have been refused permission to represent themselves in civil and political matters. The social and economic woes of indigenous populations are long term, structural, and even predictable, given the way they have been treated.

It has long been thought that the San (Basarwa, Bushmen), one of the best known and most numerous of African indigenous populations, maintained their traditional cultural systems because of their isolation. Yet historical evidence indicates that the San in many areas were affected significantly by other groups. These people have suffered – and, importantly, in some instances continue to suffer – serious human rights abuses at the hands of other peoples. Genocidal activities resulted in the near-extermination of San in what is now South Africa. Ethnocide, the destruction of cultural systems, was prevalent. In the 1970s, San were incorporated into military operations, something which ultimately could spell their destruction.

Nevertheless, there is evidence that the San are beginning to organise in order to press for their political, social and economic rights. Some of them are seeking to form institutions which are devoted to enhancing their socioeconomic well-being. Others have sought audiences with high government officials so that

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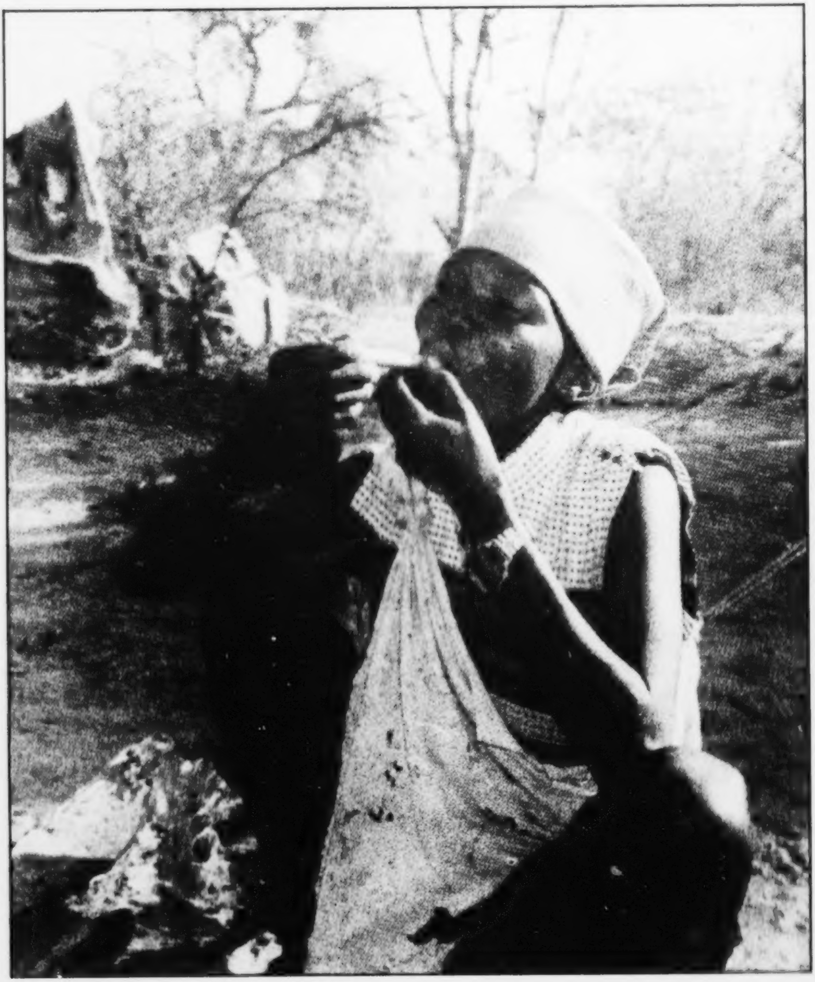


San in 1986 (photo: Espen Wæhle).

they can put forth requests for land and economic assistance. There are also cases of San seeking political office so that they have better chances of influencing the direction that development will take in remote areas.

The San of Southern Africa have long been thought of as archetypal hunter-gatherers, people who move about the landscape in their never-ending quest for wild animal and plant foods. The majority of San today, however, get only a small proportion of their food directly from the bush. Most of them participate extensively in the rural agro-pastoral economies of the Southern African states. The problem is, however, that few of them have sufficient land or resources to be self-reliant. In many cases they are dependent upon other groups for their incomes, subsistence and security.

Today there are over 100,000 people who can be defined as San in Southern Africa. 41,000 are found in the Republic of Botswana; 31.000 in Namibia; roughly 20,000 are in Angola; some 5,000 are in the Caprivi Strip, many of them in military camps established by the South African Defense Force (SADF); several thousand San (Basarwa, Batwa) are in Zimbabwe and Zambia; and a handful of San, classified largely as ''Coloureds'' are in South Africa. Contrary to popular belief, these people are *not* dying out; in many cases, their numbers are increasing. In Botswana, for example, it is estimated that the population growth rate among San groups is over 2.5 per cent.

Possibly the biggest problem facing these people is the expanded pace of development in rural areas of Southern Africa. As populations grow and the economies of these countries expand, there is increasing pressure to utilise the range, mineral, and other resources of what used to be the frontier of settlement. In the Kalahari Desert boreholes have been drilled for the past fifty years. Large numbers of cattle are being raised in these areas. The cattle represent both a benefit and a cost to the San. On the one hand, they provide economic opportunities in the form of employment, and people can utilise the animals for subsistence purposes as well as for draught power to raise crops. On the other hand, the expanding numbers of livestock are literally eating people out of house and home. Cattle utilise many of the same plants as foragers do. It is becoming increasingly difficult for hunter-gatherers to meet their subsistence requirements in areas that are heavily stocked.

Land-use conflicts are rising in remote parts of Southern Africa. Because of the pressure to expand grazing areas, calls have been heard for changing the basis of land tenure. Using a ''Tragedy of the Commons'' type of argument, governments, companies, and individuals are pressing for leasehold or freehold rights to be granted to livestock owners and farmers. The problem is that many of the areas where ranches are being established are the same ones which have supported foraging populations for thousands of years.

In the case of the Republic of Botswana, the expansion of fencing, including veterinary cordon fencing, has cut off game from their traditional grazing and watering areas. The result has been massive die-offs among wildebeest, hartebeest and other mobile antelope species. Drought and overgrazing have exacerbated the problems of environmental degradation in Southern Africa and San are having to turn increasingly toward alternative ways of making a living besides hunting and gathering.

Because of the problems facing San, anthropologists, administrators, and other concerned individuals - and the San themselves - have pressed for protection of their rights. One method of doing this, it was argued, was to set aside large blocks of land where San groups could continue their traditional hunting and gathering lifestyles if they so chose. As one San put it, "Protection of land and security of tenure is a prerequisite to the continuation of traditional lifeways". As another noted, "Having land is crusial to the process of development". Protection of land is more than economic - it is the very basis of survival of people and their social, political and religious systems.

Development can be defined as the strategy whereby the social and material well-being of people is raised. Some people see development as a fundamental right of all people. The San have taken part in development schemes, some of which have been positive, while others have had negative consequences. Governmental and private assistance to San has taken several forms. On the one hand, the projects initiated can be seen as having been designed and implemented by

A Ju/Wasi Herder watching out for lions (photo: R. Hitchcock).

outside agencies, with little or no San participation. An example of this type of approach can be seen in the case of the settlement scheme at Tsum!kwe in the Eastern Bushmanland region of Namibia. In 1959 - 1960, the South African government established a settlement in order to provide Ju/Wasi with water, social services (e.g. schools and health facilities) and housing. The purpose of this scheme was to turn San into settled food producers and wage labourers. As John Marshall and Claire Ritchie have noted in an analysis of the socio-economic situation of Ju/Wasi, there were a number of negative consequences, including growing poverty, high rates of mortality, social conflict, and apathy and despair on the part of Tsum!kwe residents. In 1978, the South African Defense Force began recruiting Ju/Wasi at Tsum!kwe to serve in the South African Defense Force in its war against the South West African Peoples Organisation (SWAPO). The military became the main source of income for a significant number of households at Tsum!kwe.

A second type of strategy for assisting San was one in which their land rights and substantial resources were to be maintained through a kind of reserve system. Land was set aside for some groups of San and other people inhabiting a vast area in the central Kalahari Desert of Botswana in 1961. The Bushman Survey Officer, George Silberbauer, argued successfully for the establishment of what is now known as the Central Kalahari Game Reserve (CKGR). This reserve, which is very large (over 52,000 sq.km.) was declared in order to provide protection for groups of foragers and the animals and plants upon which they depended. While some people viewed the reserve strategy as a kind of "Human Zoo" approach, geared toward keeping people "traditional" so that they could be studied by scientists or photographed and observed by tourists, others saw it as a crucial means of providing people with sufficient land to sustain their existence. In the Central Kalahari, it takes approximately 2-3,000 sq.km. to support a single group of 30-40 people.

A third strategy is one that has been attempted more recently in both Namibia and in Botswana. One might call this strategy a kind of "grassroots development approach" in which people are encouraged to decide for themselves the kinds of activities they want to participate in. In 1974, the government of Botswana established a Bushman Development Programme which was aimed at providing development assistance to what many people recognised to be a particularly disadvantaged minority. The Bushmen Development Programme attempted to 1) ensure the land rights of San and other groups in remote areas, 2) provide social services in the form of schools and health facilities, 3) encourage the development of a variety of economic opportunities, ranging from handicraft production to agriculture, pastoralism and wage labour and 4) facilitate the formation of indigenous institutions, such as community councils and Village Development Committees. Special emphasis was placed on meeting the basic needs of San groups and ensuring their civil, political and economic rights. Efforts were also made to get legislation passed which would ensure equitable treatment both in terms of land allocation and employment benefits and wages. While the national recognition of San rights has not proceeded very far, at the local level San have been able to participate actively in the planning and design of development efforts.

In 1977, the Bushmen Development Programme broadened its scope to cover a larger number of people in the rural areas of Botswana. The Remote Area Development Programme (RADP), as it is now known, engaged in a multipronged development effort. One area of concentration was on setting up ''land and water projects'' for remote area dwellers (known in Botswana as RADs). One of these places, West Hanahi in Ghanzi District in western Botswana, contains over 200 hundred people in an area of 400 sq.km. The planned settlement has a borehole, school health post, council place (*kgotla*), fields, drift fences, roads, grazing areas and land for foraging. There are also places where groups and individuals have applied to the district Land Boards for land for residential, arable, and grazing purposes. A number of remote area communities have become fully recognised villages and are able to get financial and other assistance from the District Councils.

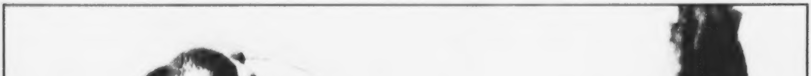
One of the activities of Botswana San was to set up their own councils and development committees. This was not an easy task, since leadership is relatively diffuse among many San groups. Decision-making is generally based on consensus, and the headmen or leaders of groups usually are people who see themselves simply as facilitators. As one San woman put it, headmen are ''just first among equals''. There was sometimes a reluctance to appoint individuals to leadership positions since it was felt that they might not attempt to gauge the sentiments of the groups before setting policy. Some of the San got around this problem by having several people in leadership positions. Others requested that outsiders become their group representatives since it was felt that they would be less likely to favour certain elements within the groups. By 1988, there were headmen, councils, or Village Development Committees in most of the San communities in Botswana. The institutions were beginning to press for recognition of the land and other rights of San groups.

One of the human rights positions held by many governments in Africa is that attention should be paid to economic and social rights, especially the right to development and to having basic needs met. This kind of approach can be contrasted with the position of the Western European and North American governments, which believe that civil and political rights should receive priority.

The serious famine situations of the 1980s have underscored the sentiments of African governments that greater efforts need to be made to address socio-economic issues.

In Botswana, the drought that lasted from 1982 to 1987 had the potential of affecting Basarwa and other groups in remote areas. But a nutritional surveillance system combined with a well-organised logistical strategy for delivering food to vulnerable groups helped to avert disaster. Basic needs were met through both food deliveries and the establishment of Labour Based Relief Projects, which helped to inject much needed cash into rural areas. There was some concern that the relief efforts might cause greater dependency on the Government, but so far this does not appear to be the case.

The initiation of self-help efforts can be seen among San in Namibia, some of whom were in settlements or on farms. In 1982, Ju/Wasi in Eastern Bushmanland began to move back to the bush in an attempt to get away from the fighting and drinking that was so common at Tsum!kwe. Three groups noted that they wished to return to their *n!ores*, or territories where they hoped to establish themselves as independent units. They depended upon a mixed economy of foraging, pastoralism and agriculture with some food obtained either through purchase or in the form of government allocations. By 1988 there were 12 such groups, many of them with their own herds of cattle and agricultural fields.



Ju/Wasi Mother and Child (photo: Paul Weintraub/Survival International.

The Ju/Wasi of Eastern Bushmanland have become increasingly involved in the promotion of their own socio-economic well being through concerted self-help efforts. In 1986 they formed the first Ju/Wa Farmers Union, an organisation which has lobbied against the establishment of a Nature Reserve in Eastern Bushmanland and which has assisted local people in livestock production and other development activities. The !Kung San Foundation, an organisation started by anthropologists John Marshall and Claire Ritchie, has helped to provide funding, technical assistance and information to the Ju/Wasi in Eastern Namibia. Decisions are made by the Ju/Wasi themselves, and they are outspokenly supportive of the participatory approach to development in which they are involved.

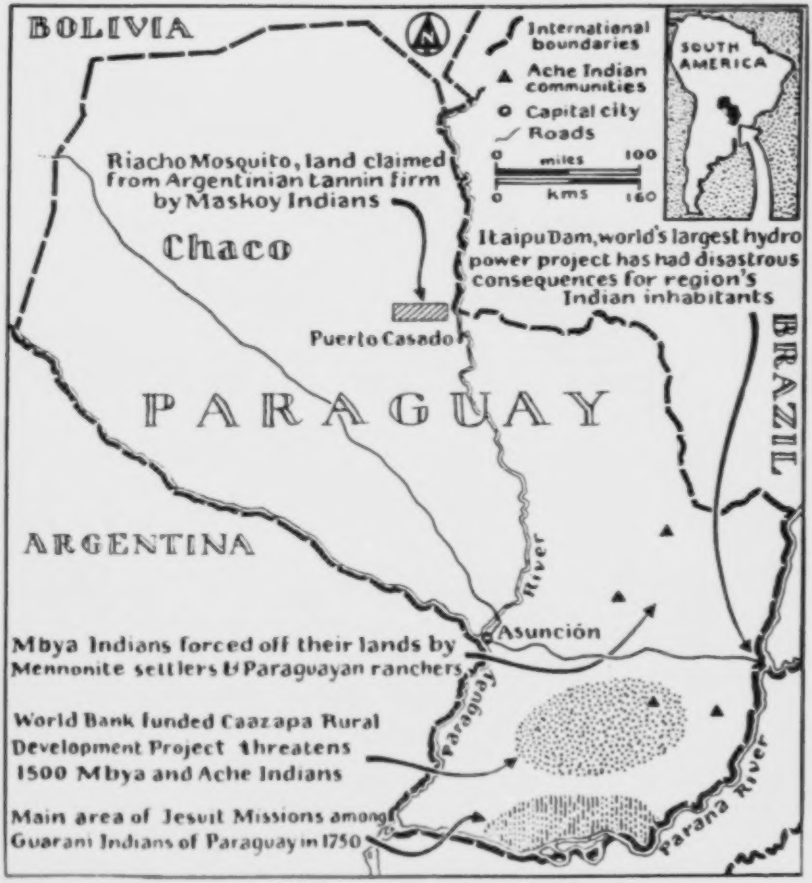
It is interesting to note that while in Namibia the South African-supported government withdrew the idea of declaring a nature reserve in Eastern Bushmanland, just the opposite has occurred in Botswana, a country which is a multiparty democracy devoted to social justice and equity. Partly because of pressure by conservationists who felt that indigenous peoples were having negative effects on the Kalahari environment, the Government of Botswana decided to declare the Central Kalahari a fully-fledged game reserve. As a consequence, people who currently reside in the Central Kalahari are going to be required to move to places outside the reserve's boundaries. The problem is that most of the areas on the peripheries of the reserve already have substantial numbers of people, livestock, and water points. There is a danger that the San and other groups will be incorporated into the stratified socio-economic system of rural Botswana at the lowest levels, with little opportunity for them to move higher and to become economically self-sufficient.

In the past two years, efforts have been made by Botswana San to expand their efforts to promote self-determination. Some groups have spoken out forcefully to the international news media for recognition of their rights. Others have aired their views to Government officials at national and district- level meetings on remote area development. Still others have asked for outside assistance to establish co-operatives, committees, and development trust organisations. The Botswana Government, international donor agencies, and non-governmental organisations (NGOs) have all responded favourably to these requests. In 1987, a Botswana Presidential Directive announced the establishment of a new Accelerated Remote Area Development Programme (ARADP) which is aimed at assisting rural people to meet their basic needs and promoting socio-economic self-determination.

Clearly, the pace of development is picking up among Southern African San. It remains to be seen whether they will be able to become truly self-sufficient in the face of mounting economic, political, and environmental pressures.

Given their strong desire to encourage sustained development, ensure the equitable distribution of resources and promote popular participation, it appears likely that at least some San groups in Southern Africa will be eminently successful.

San in 1986 (photo: Espen Wæhle).


BOLIVIA
N
International boundaries
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Capital city
Roads
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SOUTH AMERICA
Riacho Mosquito, land claimed from Argentinian tannin firm by Maskoy Indians
Chaco
Itaipu Dam, world's largest hydro power project has had disastrous consequences for region's Indian inhabitants
Puerto Casado
BRAZIL
PARAGUAY
ARGENTINA
River
Asunción
Mbya Indians forced off their lands by Mennonite settlers & Paraguayan ranchers
Paraguay
World Bank funded Caazapa Rural Development Project threatens 1500 Mbya and Ache Indians
Main area of Jesuit Missions among Guarani Indians of Paraguay in 1750
Parana River

Map of Paraguay. Source: Survival International.

Indigenous People in Paraguay – A Brief Report

By Miguel Chase-Sardi

Population

According to the census of 1982, Paraguay has a population of 3,029,830 inhabitants living in an area of 406,752 sq.km. which means an average of 7.45 inhabitants per sq.km. The indigenous census of 1981 gave a figure of 38,703 indigenous persons in Paraguay, constituting 1.28 per cent of the total population. The Paraguayan Episcopal Conference (Equipo Nacional de Misiones) and the Association of Indigenous Peoples (API) criticise this census and give estimates of 70,000 and 100,000 persons respectively.

The indigenous population of Paraguay consists of 17 ethnic groups which belong to five linguistic families. They are the survivors of the many ethnic groups which have been exterminated in Paraguay, first in the process of the Spanish colonisation and later by the colonisation of the Paraguayan State. According to a study by Rosenblat, at the time of the arrival of Columbus to the continent, there was, in what is now Paraguay, an indigenous population of 280,000; in 1570 there was 250,000, and in 1950, three hundred and eighty years later, only 39,213. We doubt the accuracy of the figure given in the indigenous census of 1981 and have more confidence in the estimates made by the Equipo Nacional de Misiones. The reason for this is that there is an evident desire by the dictatorship[*] to minimise its indigenous problem in the country by reducing indigenous population statistics.

Sources of Conflict

The Paraguayan constitution officially consists of a representative democratic government, with a formal separation of three powers: executive, legislative and judicial. In practice, however, power is totally autocratic, residing in the will of the dictator who has ruled for 34 years. He holds the balance of power between the military; the large landlords, ranchers, timber interests and industria! farmers; financial and commercial interests, importers and exporters; the state bureaucrats; and smugglers who are represented, above all, by prominent military personnel and bureaucrats. Between these sectors, as well as within them, there exist serious rivalries which the dictator manipulates skillfully.

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[*] This article was written before the overthrow of the Stroessner dictatorship in 1989. Even so the situation described in the article still stands.

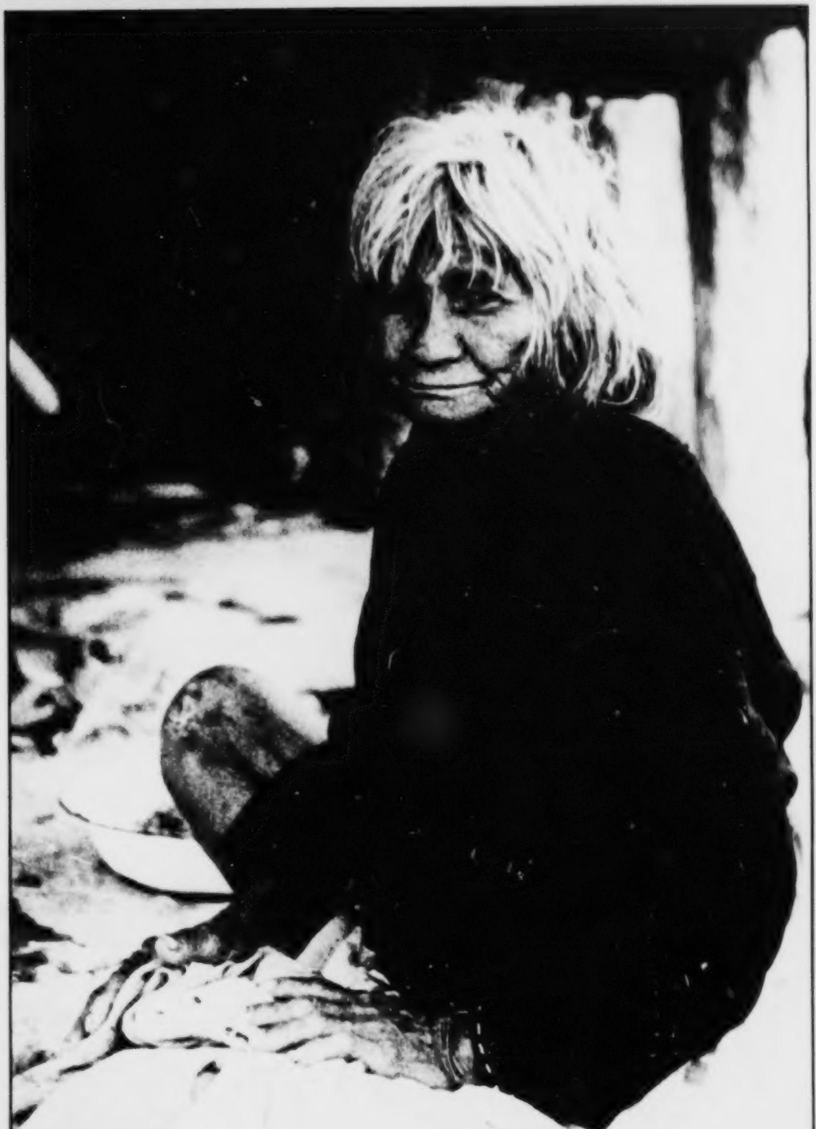
The Paraguayan economy is primarily extractive, consisting of agricultural production and cattle raising. Until the 1950s, great fortunes were amassed through exploiting the semi-slave labour of small peasant farmers and, above all, of the indigenous people. They produced the wealth of the large landed estates and those economic enterprises which were run by the Mennonite colonies.

Since the 1950s, Paraguay has gradually become one of the main centres of South American contraband. Another great source of capital was created by the construction of the Itaipú dam, and this continues with the current Yacyretá dam project. Meanwhile, Paraguay's natural resources are increasingly being exhausted and there is practically no more viable land. The great estates, which have been irrationally exploited, deforested and converted into uncultivated deserts, are rapidly being developed into grazing ranges where ranches of 5,000 hectares are established only to be sold again to European and North American investors. At every stage, the indigenous people are forgotten.

Data from the Interamerican Development Bank and the Contec-Sae-Snitzler Consortium indicate that indigenous peoples in the Chaco and Eastern Region of the country need 227,745 hectares in order to subsist. Nevertheless, they are now living as serfs on the large landed estates, as peons who receive their daily allotment in provisions and alcohol, or in "vales" (vouchers) as happens in the Mennonite colonies. In the Eastern Region, according to studies carried out by the AIP (Indigenous Association of Paraguay), 25 per cent of the Pai-Tavytera population, 80 per cent of the Mbyá-Guaraní and 30 per cent of the Avá-Chiripá have no land upon which to settle. They live on estates and company plantations, constantly hounded, harassed and persecuted by the landowners who try to drive them away.

However, the figure of 227,745 hectares is an optimistic estimate, made according to criteria established by Law 904/81, (Statute of Indigenous Communities) whereby each nuclear family should receive 20 hectares in the Eastern Region and 100 hectares in the Chaco Region. The perspective changes if we consider the traditional habitat of the indigenous peoples in these areas. The following paragraph, referring to the Pai-Tavytera clarifies this:

> In effect, the territory of these indigenous people, the Pai-Reta, this immense closed forest under occupation and domination of these people, extending no less than 20,000 sq.km., has been reduced, since the expansion of multi-national capitalism, to an area of 36,077 hectares (360 sq.km.), which means only a few hectares of land for each nuclear family. It is certain that the Pai-Tavytera had at their disposal in 1986, barely 1.8 per cent of their original territory, that is the same as saying that they came to lose 98.2 per cent of it.



Nivaclé (photo: Miguel Chase-Sardi).

According to Article 57 of Law 904/81, the Paraguayan Indigenous Institute (INDI), receives annually 7 per cent of all consultancy fees, 3 per cent of all the insurance premiums which are collected in the country, and, in addition, a property tax, established by Law 40/68, on large rural properties. All of this is supposed to provide for the necessities of the indigenous peoples. The first necessity of the communities is land. Nevertheless, we see from the budget of INDI that funds to acquire lands have been notably reduced: from 64.75 per cent in 1985 to 56.5 per cent in 1986, and to only 46.5 per cent in 1987. On the other hand, from 1983 until now, the account for non-personnel services has increased by 1,191.71 per cent; for material and supplies by 361.7 per cent; for capital property by 302.75 per cent; for personnel services by 191.62 per cent; for transfers by 176.38 per cent and for works by 164.17 per cent. Evidently INDI wants to strengthen its despotic power and ensure that the indigenous people continue to live as pariahs, as beggars, on their own lands. INDI has never condemned the expropriation of funds that belong to the indigenous communities under the Law 904; on the contrary, it has entered into dubious deals with big landlords, buying lands at exorbitant prices.

The current deterioration of the environment is unprecedented. In spite of clear legal requirements, industries, which are being installed with power from the Itaipú dam, particularly those which exploit palm trees for canning palm hearts, discharge their waste into the streams. Whole rivers, together with their fish, which are the only source of protein for the indigenous population, have been totally killed off. The forests are illegally felled indiscriminately, in order to sell timber, generally as contraband to Brazil, and in order to establish areas for the cultivation of soya beans and cotton. This has destroyed all the wild game, another food source for the aboriginal peoples of Paraguay. As the last remaining forest reserves are in indigenous communities, they are the principle objectives of timber merchants, among whom are the prominent functionaries of INDI.

Health is another horrendous theme. Two examples show clearly the irresponsibility of the government and of some groups which support these abuses. From 1959 until 1972 there have been, literally, hunting parties to capture the indigenous Aché-Guayak people, with logistical support from the Ministry of Defence and the so-called Commission of Assistance for the Indigenous Guayaki people (CAIG), made up of executives from banks, industry and commerce. This is well known because of the denunciations made by Mark Münzel.

Seventy-five per cent of the indigenous people taken out of the forest die of illnesses contracted through contact with the Paraguayan population. In the last days of December 1986, the fundamentalist missionaries of the New Tribes sect, with the acquiescence of INDI, carried out a human hunt for the forest Ayoreo people. The result was five indigenous persons killed and four wounded in the

Ayoreo (photo: IWGIA Archive).

confrontation. Twenty-five Ayoreo were caught and transferred to the Misión de Campo Loro, where many of them were left to die of starvation and where others died of sickness. We do not know how many remain because of the secretiveness of the missionaries of the New Tribe sect.

No investigations have ever been carried out on the mortality and sickness among the indigenous peoples of Paraguay. Nevertheless, we can estimate a high incidence of tuberculosis from the fact that in the work of the Marandú Project, all of the patients who we presumed to have the disease were later confirmed to be infected by analyses. Reports from the PaiTavytera and Guaraní projects, which are sponsored by the AIP and the Misión de Amistad (The Mission of Friendship), also tell of a high frequency of tuberculosis. Except in the areas of these projects and in some missions, vaccinations are not carried out.

There is a growing racism within the Paraguayan population, documented by two opinion polls, one conducted by Chase-Sardi and Martínez Almeda in 1971, and another by Schvartzman in 1975. The results of both surveys showed a high level of crude racism and a total depreciation of the indigenous peoples of Paraguay. Paraguayans are ambivalent in this matter. They glorify the "historical Indian", whom they see as their ancestors; but as León Cadogan says,"They deride real Indians of flesh and blood who die of syphilis and tuberculosis now". This racism is exacerbated by INDI's policy of assimilation which is carried out in contradiction to the requirements of Law 904.

Strategies of Minorities

In 1971, at the symposium in Barbados, we undertook a summary study of the contact strategies of ethnic groups in Paraguay, according to indigenous criteria. These strategies vary from a search for contact, through the avoidance of contact, to hostile defence. We also noted that between these three positions, some ethnic groups have established an intermediate position, within which some groups look for contact, with missionaries for example, but also carry out incursions of vengeance against colonist populations. In other groups there exists a real generational division, in which the elders avoid contact while the young look for it, seeking work.

In the Chaco, there still exist two groups of Ayoreo, of the Totobiegosode group who, in spite of being enclosed by cattle ranches, continue their traditional methods of subsistence. In the Eastern Region, we consider that there is a group of Aché-Guayakí in the last remaining forests of the Department of Canindeyú. The Ayoreo and the Aché-Guayakí defend themselves with hostility against the incursions of hunters and lumber workers who enter their respective territories.

Mbyá-Guaraní (photo: Miguel Chase-Sardi).

On the other hand, some groups of Choroti in the Chaco avoid contact altogether. The Mbyá-Guaraní of the Eastern Region also display the same strategy, dispersing themselves into small groups of extended or even nuclear families, in order to disappear from the national society.

However, the great majority of indigenous communities depend increasingly upon wage-labour. This creates great difficulties in co-ordinating their traditional production activities, as the most demanding periods for them coincide with the offer of work from the national society.

In recent times, some indigenous groups are overcoming their old fear of public functionaries, above uniformed personnel. An example of this is the way in which the Toba-Maskoy bravely resisted the pressures of the Carlos Casado S.A. Company and INDI who wanted their lands. With the open support of the ENM and the Forum of Private Indigenous Entities (FEPI), they emerged triumph-ant in their demand for 30,000 hectares of their traditional land.

We should also mention the expropriation (titling) of 10,000 hectares, for another Toba-Maskoy group in Casanillo, on the large estate of Casado. However, within a month it was annulled in favour of a claim by General Viola (the then military president of Argentina). In the face of the Argentine military dictatorship, our dictator signed another decree annulling the land title of the Toba-Maskoy. The Toba-Maskoy occupied their land and the military was sent to remove them. They were thrown into the desert at "Kilometer 220" where a type of concentration camp was established. Within a short time, the Toba-Maskoy escaped from there and returned to Casanillo. The question was resolved when the Episcopal Conference of Paraguay bought the 10,000 hectares at a high price and handed it over to the indigenous people.

In the Mennonite colony of Sommerfeld, located in the Department of Caaguazú, the Mennonite leaders, Isaac and Willie Hildebrand, have persecuted the Mbyá-Guaraní from the settlement of Yhovy and "Kilometer 225". In spite of the Decree of Protection issued by the Judge of the area, and with complete disregard for human rights and the principles of the religion which they say they profess, the Mennonites cleared the forest, destroyed the indigenous cultivations, burned their settlements and submitted them to all types of violence. In fact, the Mennonite colony of Sommerfeld has the support of the Director of the Mennonite Central Committee and friend of the dictator, Cornelius Walde. Nevertheless, the Mbyá-Guaraní still possess the land and continue to resist, asserting that they will only be removed if dead.

These are only a few examples of the infinite number of clashes which the indigenous people of Paraguay suffer throughout the national territory, and of the active resistance which they are sustaining.

All of this became very clear when, in the name of all the ethnic groups in the country, the Toba-Maskoy leader, René Ramírez, addressed the Pope, before the civil and military authorities, among whom were the Minister of Defence and the President of INDI, saying among other things, the following:

> We speak different languages, and have different cultures and religions. However, we share the same history, the same sufferings and the same preoccupations. Our grandparents tell us how the Whites took our lands by force of arms, which the indigenous peoples could not always resist. And how later the whites fought between themselves and divided our lands, establishing their national frontiers. At times they did not permit the natives to pass freely to visit their brothers who were left on the other side of the frontiers. These are not indigenous frontiers. The Whites took our lands a long time ago and at present they expel us from them. We have all suffered the plundering of our lands. The lands which they now give to some communities do not compensate for that which we have lost, and much less for the sufferings of the past and the future.
>
> In the Chaco the great landed estates have an excess of land, which was ours, and their cattle are more important than us. There are estancias (large landed estates) which prohibit entry upon their lands for the purpose of hunting wild animals, gathering honey, or collecting wild fruits. The majority of the estancias have thousands of hectares of land.
>
> Our Aché brothers of the Eastern Region of the country lost all of their lands and hundreds of their sons and daughters in a non-declared war against them which lasted for many years. Our brothers, the Mbyá of Itapúa, lost all of their land in connection with a development project financed by international banks. And our brothers, Chiripá and PaiTavytera suffer greatly because timber is plundered from their forests, their sacred plants are destroyed and the forest animals disappear.
>
> The most shameful thing is that the White authorities have also taken advantage of our resources. We are concerned that the Paraguayan Indigenous Institute (INDI) is not capable of protecting our lands. It does not defend our communities in the face of the powerful who drive us from our lands, who burn our houses, and who destroy our crops. The White authorities who should defend us, defend those who buy our lands with us still living on them. As for the communities which do not have their lands secure, the authorities wish to enclose them in small blocks of land, away from their traditional places, where they do not have many possibilities for survival. In nearly all of the communities there are complaints about the Whites who do not respect us. They do not even respect our houses nor the legitimate authorities of our people. We are concerned about the White authorities' plans to divide our communities. At times they do not wish to recognise our true leaders. At other times, they try to corrupt them with false promises and money or name persons as leaders who in reality are not leaders.

Rights of Minorities

Law 904 does not have the characteristics of a law. A law is defined as a norm supported by a sanction. For a law to be a law, any violation should be punished by a physical or pecuniary sanction. However, Law 904 establishes time limits for transacting the transfer of lands, but it does not impose sanctions in cases of non-compliance or delay in the legal obligations. In clear contravention to Article

71 of the law, the Executive Power appoints the Minister of Defence as President of INDI. This establishes the juridical aberration of a person who has to sit in judgement yet who is an interested party at the same time.

The indigenous organisations have the right to appeal against the resolutions of INDI before the Minister of Defence. That is to say, that a resolution signed by the President of INDI, can be taken to appeal before the Minister of Defence. But this results in the same juridical aberration, as both are the one and same person. After more than six years since its creation, INDI has not yet constituted its Consultative Council. It does not want to hear dissonant voices, particularly as at least six of the Council members have to be elected democratically. This is a flagrant violation of Articles 33,34 and 46 to 52 of the Law 904.

As Doctor Esther Prieto says, by not granting land titles in the name of the indigenous communities, the law has not complied with its final objective. The granting of land titles which do take place with much pomp and ceremony, are only the smallest fraction of what the law demands.

The forest resources of communities are plundered in the face of silent complicity by the official institutions which should protect them, namely INDI and the National Forestry Service.

Articles 5 and 6 of Law 904 establish that communities can govern themselves by customary law, and that Judges, when dealing with indigenous persons, should take this into account. However it adds, ''In all cases which are not incompatible with the principles of public order''. And we know how vague and indefinable the notion expressed in the phrase, ''principles of public order'' is. The law of public order can be anything outside specific private contracts. The public order which is to be respected is the public order of the dominant society and not that of the ethnic minorities. With this, the respect for customary indigenous law is left vacuous. This sounds like the popular refrain, ''The article favours you, but the comma condemns you''.

In recent months, the dictatorship has become so sensitive about the rights of indigenous peoples in Paraguay that just the act of supporting or helping them to submit their complaints legally is grounds for litigation. On the 24th of November 1987, three indigenous Pai-Tavytera people denounced, at the headquarters of the Pai-Tavytera Project (which operates under the auspices of the AIP and the Misión de Amistad) in the city of Pedro Juan Caballero, the murder of 11 members of their group on the boundary of two estancias (landed estates). This was confirmed in an official statement made before the Public Notary Clerk. The Vice-President of the Misión de Amistad, the German Lutheran Pastor, Armín Ihle, denounced the crime before the Paraguayan Commission for the Defence of Rights and transmitted the denunciation made by the Pai-Tavytera to INDI.

Two members of the families owning the two estancias were accused of the crime. In fact, they were already on the run because they had cases pending before the courts for common crimes which they had committed previously. The large estate owners of the area, who are very disturbed by the presence - since time immemorial - of the Pai-Tavytera on their properties, put pressure on the authorities. There soon appeared eight indigenous persons, whom the political authorities presented before the public as the "supposed victims". The first indictment was closed and immediately, another was opened against Pastor Ihle, charging him with false accusation, and giving him the alternative of going to prison or being expelled from the country.

At the first appearance of Pastor Ihle before the Judge, the Pai-Tavytera leaders presented themselves to explain that the Indians brought forward by the police were not those who had disappeared. The Judge did not accept this second denunciation, under the pretext that a closed case cannot be reopened. The indictment against Pastor Ihle continues, according to popular opinion, "so that no one should dare to defend indigenous peoples any more".

The Role of the Anthropologists

The role and the responsibility of anthropologists has been perfectly delineated, in 1971, in the Declaration of Barbados. Anthropologists should change from being the spearhead of colonialism - as they were until very recently - to being allies in the liberation struggles of indigenous peoples. They should rise above the false scientism which fakes a hackneyed hypocritical objectivity, evading responsibilities. Anthropological responsibility should be demonstrated not only in defending indigenous peoples within the present system, but also in struggling to change structurally unjust social systems. Anthropologists should complement the vision of the social sciences with an internal perspective of indigenous cultures and therefore consistently and persistently denounce all cases of ecocide, ethnocide and genocide. They should also keep very clearly in mind the fact that any of these three crimes of treason against humanity leads to the other two.

To conclude, anthropologists should put all of their efforts into the struggle to build, in their respective countries, multi-ethnic states, with absolute respect for the sociocultural distinctions of each ethnic group.

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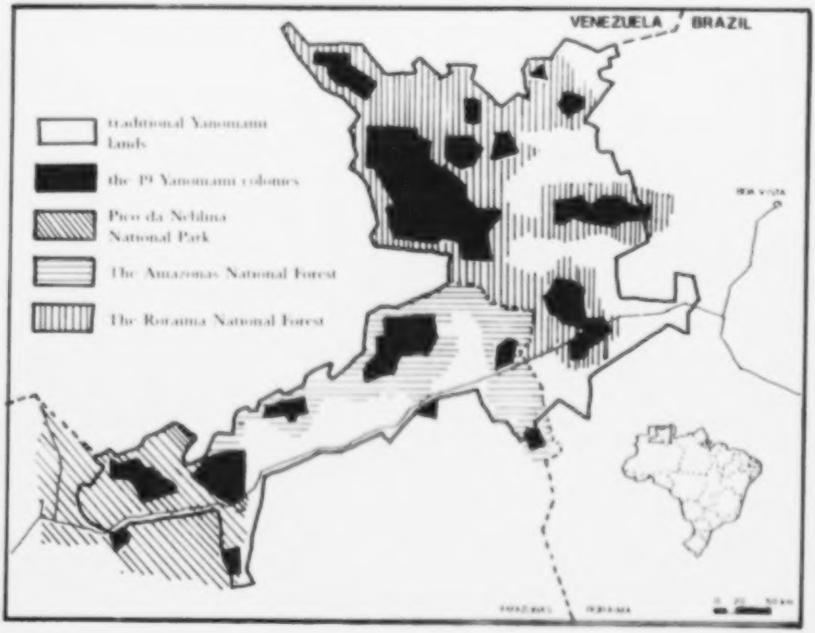
VENEZUELA
BRAZIL
traditional Yanomami lands
the 19 Yanomami colonies
Pico da Neblina National Park
The Amazonas National Forest
The Roraima National Forest
BOA VISTA
AMAZONAS
RORAIMA

Will the Yanomami Indians survive the gold rush?

By Teresa Aparicio

Introduction

In August 1987, the medical team of the CCPY (Commission for the Creation of the Yanomami Park) and missionaries of the Consolata Order who have been providing health services to the Yanomami for decades at the Catrimani mission, as well as a few scientific researchers, were forcibly removed from the Yanomami area by FUNAI (the Brazilian Government foundation for the protection of Indians). This removal has left nearly 10,000 Yanomami Indians who live on the Brazilian side of the frontier practically without medical care. Furthermore, at that time the Yanomami faced between four and six thousand gold-mining prospectors (*garimpeiros*), most of whom were armed with conventional hunting rifles, as well as with automatic and semi-automatic modern weapons. The Yanomami Indians, as other Brazilian Indian groups, may not, under Brazilian law, carry modern weapons but only their traditional bows and arrows.

The reasons given by FUNAI for the sudden removal were violent confrontations which had taken place between the prospectors and Yanomami Indians, specifically one which left four Yanomami Indians dead. FUNAI declared that the evacuation of all white people with the exception of FUNAI workers and the security forces (who are still in the area today on a military project) was to enforce the prohibition of gold prospecting in an indigenous area. FUNAI guaranteed that the health personnel and the missionaries would be allowed to go back as soon as the responsibility for the deaths had been established and as soon as the gold prospectors who had illegally entered the region had been removed.

By the end of 1988, the persons behind the crimes had not been found nor had one single gold prospector been removed from the Yanomami area. On the contrary, 1988 has been the year when violence and crimes against the Yanomami have reached a brutality never before reported, not even during the construction of the Northern Perimeter Highway in Yanomami territory during 1975, when several Yanomami groups were severely decimated by diseases contracted from the road workers.

What we are now witnessing is *genocide* against one of the largest and most isolated remaining Indian groups in South America who, up until now, have been living according to their cultural values and in full harmony with their environment. Traditionally hunters and gatherers, the Yanomami practise an agricultural rotating system which allows the environment to renew itself over a span of years. This is one of the reasons why the Yanomami Indians use and need a continuous area of traditional forest lands in which to live just as they have been doing for hundreds of years.

The purpose of this paper is, first, to give a picture of how the massive assault on Yanomami lands by gold prospectors is being perpetrated with the help of a 'laissez-faire' policy on the part of the military who are in the area, and secondly to show how governmental decrees are contributing to the genocide of the Yanomami Indians. It is also relevant in this connection to mention the promulgation of the new Brazilian Constitution which, though it by no means fulfills the expectations of the indigenous movement and pro-Indian NGOs, has provided a few legal instruments through which a dialogue on indigenous rights could be renewed.

Gold rush in Yanomami lands

Since the forced removal of the medical team of the CCPY and of the mission, there has been a massive invasion of gold prospectors in the region. Many of them come from Serra Pelada, the biggest open mine in Brazil. They arrive by boat, walking through the forest, and by small hired plane from Boa Vista, the capital of Roraima. At least 33 illegally built landing strips have been recorded in the area. The gold miners are even using FUNAI's landing fields which have been improved as part of Calha Norte (1). Calha Norte is a military project involving the militarisation of 6,500 km. along the northern frontiers of the country, which cover almost all of Yanomami territory. Furthermore, there are at least 1,000 helicopter pads which are also used to drop supplies to the gold prospectors.

By the end of 1988, the entry rate of miners into Yanomami lands was over one hundred persons per day; and their total numbers have been established at between 30,000 and 40,000 men. If the situation does not improve, by the end of 1989 there will be over 100,000 gold prospectors in the region. At the beginning of 1988, three to four prospectors were killed daily because of internal conflicts and now reports say that armed confrontation between gold miners is increasing.

Although it is difficult to obtain reliable information on the gold extraction activities in the area, a few people have visited the region under different circumstances and have given a similar picture of the situation. What we could call the 'structure' of a gold-mining site consists of a team of from six to ten persons who are organised hierarchically as follows: the owner of the airplanes and helicopters; the owner of the landing strip; the owner of a cantina; the owner of the equipment for gold prospecting; the person in charge of the machinery who, at the same time, is the 'personnel' manager and a cook who is usually a woman and frequently also works as a prostitute. At the bottom of the hierarchy we find the gold workers who, if they are lucky, can work themselves up in the hierarchy. It has been confirmed by several sources that organised groups of *jagungos* (gunmen) operate in the area. They ensure the advancement of the gold miners and the establishment of sites by killing any Yanomami who may cross their path. These *jagungos* groups are paid either by the owners of the planes or by the owners of the mining machinery. Not infrequently they 'solve' conflicts between the different gold-mining sites.

All payments are made in gold. For instance, a drink costs one gram of gold; the use of an airstrip costs 10 grams of gold per landing, and, according to reliable sources, the same price is paid for a medical visit per person. There are also doctors who visit the area illegally. Finally, to become a member of the Roraima Miners Association costs 4 grams of gold. The main argument used by the Association to convince prospectors to become members is that the operational sites will eventually gain the right to remain there regardless of the demographic layout and the demarcation of Yanomami territory.

There seems to be a degree of co-operation between, on the one side, the military and the military police, and on the other side, the gold prospectors. A few examples of this have reached the Brazilian press. For instance, there is a police-organised 'bingo' where the garimpeiros can win prizes. These prizes are their own weapons which have been confiscated from them by the same policemen who organise searches under the pretext that goldmining sites are illegal in the area. In addition, the local newspaper *Tribuna de Roraima* (11.11.88) brought the news that two military officers had been jailed, accused by another member of the military of illegal arms sales to miners.

The situation of the Yanomami

According to a statement (3) made by Ivanildo Wawanaweytheri Yanomami, a former functionary of FUNAI at the Mucajai river post who was himself removed from his position in August 1988, the health situation of the Yanomami has deteriorated considerably since the removal of the health teams of the CCPY and the Catrimani mission. According to Ivanildo, the Yanomami no longer receive any sort of medical assistance and many of them, specially small children, are dying from diseases brought by the gold miners. Diseases range from influenza, hepatitis, and pneumonia to new strains of malaria which have become resistant to normal medication. These new types of malaria have arisen from the gold miners who, probably due to lack of information, have not been able to cure themselves completely after contracting known strains of malaria. The result is that when, for a second time, mosquitos bite miners who are still uncured, they develop a strain of malaria which is immune to normal medical remedies.

But diseases are not the only evils which the prospectors are bringing to the Yanomami. They have also poisoned the rivers with the mercury they use to wash and clean the newly extracted gold. According to Ivanildo, some Yanoma-

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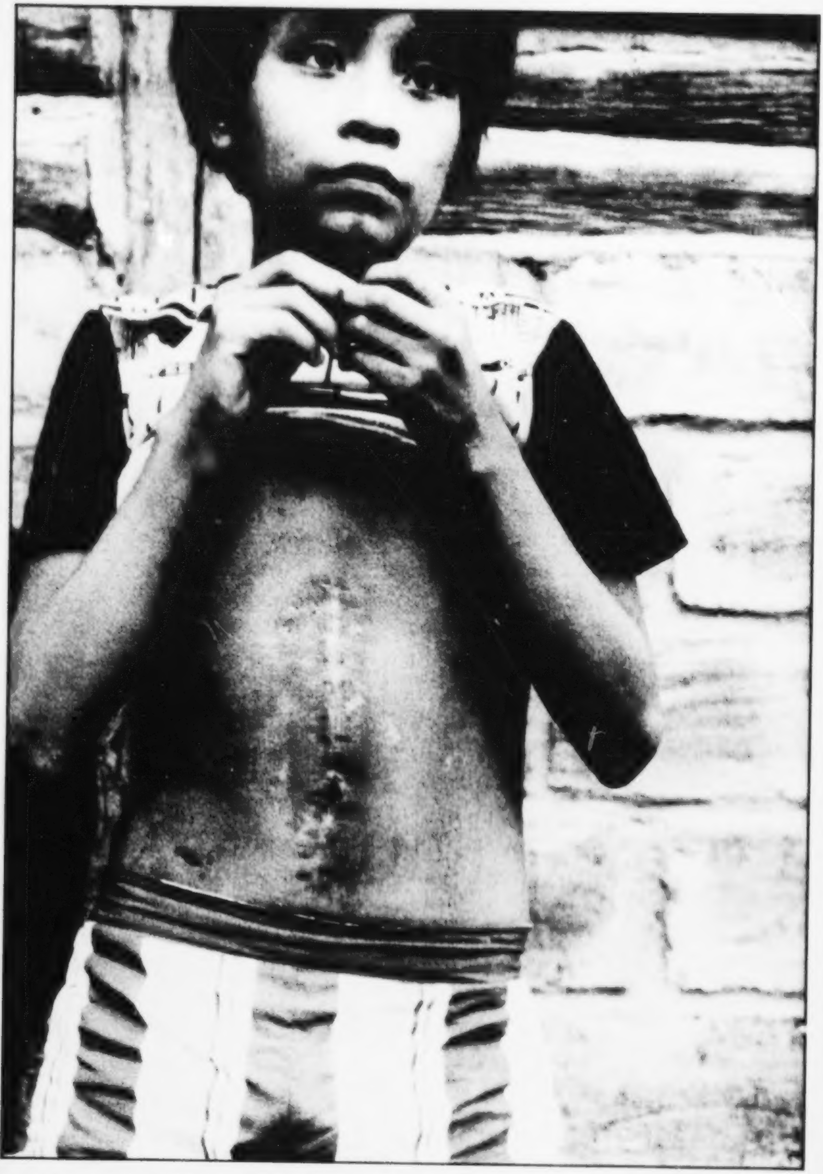
mi have died because of the poisoned waters. It is no longer possible for the Yanomami to fish, and the game they used to hunt has fled from the noise of the gold mining machinery. Yanomami women living near the gold camps do not dare to go into the forest to gather fruits and roots which are necessary ingredients in the Yanomami diet. For the same reasons they are no longer making their traditional baskets which are made with products from the forest.

The gold miners try to compensate for their invasions of Yanomami territory by furnishing them with attractive goods such as radios, tape recorders, batteries, flash-lights, clothes, medicines, canned food, rice and beans. They also bring *cachaca* (4) which Ivanildo describes as follows:

> The miners come to the villages bringing cachaca. Then, when they are drunk, they go to call the Yanomami. If the Yanomami don't want to come, they threaten them with firearms. When the Yanomami get drunk, the miners take advantage of their women.

The harassment and killing of Yanomami Indians is by no means a secret; it has been published by the Brazilian media throughout 1988. For instance, on May 8th, the Yanomami community of Thiretheri was attacked by gold miners who shot a small baby while his father, Ato Haskomatheri, was carrying him in his arms. The father was also shot but he recovered from his wounds. A few days later, a gold miner made a recorded statement and explained that he had seen the bodies of 20 Yanomami Indians half buried in the forest (5). On May 18th, a Yanomami leader, Julio Goes, was shot by nine bullets at point-blank range by a mining prospector in Sao Gabriel do Cachoeira, in the state of Amazonas. According to FUNAI, Julio Goes had gone there to deal with some issues at the state agency. The gold miner, who is known by the name of 'Parana', explained his action by saying that the Yanomami leader is known to oppose the presence of the gold miners in Yanomami territory (6). In April, Colonel Menna Barreto confirmed that 8 Indians had been killed in a conflict with miners (7). In June, a FUNAI functionary declared to the press that near the Paapiu FUNAI post, there were weeks when, on average, four Yanomami Indians died daily due to the lack of medical assistance (8). It was at this post that the CCPY, before their removal from the area, had one of their health-teams which travelled to the Yanomami communities of the region.

The last time I was in Boa Vista, in December, 1988, I visited the Casa do Indio (the Indian house) in order to verify a story I had heard which involved the shooting of a 12 year old Yanomami child a few weeks earlier. I brought an interpreter along and I saw the child who explained what happened. One morning he went hunting with a friend and, while trying to shoot a bird, one of his arrows got tangled up in a tree. He climbed up to recover his arrow and while he was up in the tree, two gold miners passed by. They mocked the child calling



A Yanomami child who was shot by gold-panners near his village when he was out hunting - Boa Vista, December, 1988 (photo: Teresa Aparicio).

him 'monkey' and, when the child bowed down to see what was happening, they shot him with their rifles in the stomach, and left laughing. The little friend who had been waiting at the foot of the tree ran to he village and called for help. Fortunately, when the child was brought back to the village by the Yanomami men, a plane had just landed in an airstrip nearby. The child was flown to Boa Vista and taken to the hospital where he was operated on immediately and the doctors were able to remove the bullets from his stomach. When I saw him he had a long and ugly scar; it went from the upper to the lower part of his stomach.

The other main aspect of the Yanomami situation concerns the Brazilian Government's adoption of policies which are reducing the rights of the Yanomami Indians to their traditional lands. In addition, the rights of Brazilian Indians to the mineral wealth in their lands have changed after mining activities in indigenous territories were reformulated in the new Brazilian Constitution.

Interministerial Decree No. 160

Decree No.160, was presented by FUNAI in August 1988, and officially promulgated in September 1988. It deals with the demarcation of Yanomami lands. In 1985, FUNAI, through Decree 1817/E, recognised a *continuous* area of 9,419,108 hectares as Yanomami traditional lands. Decree No.160 differs from Decree 1817 in some basic points; I will mention here only the most relevant.

According to Decree No.160, the demarcation of Yanomami lands comprises 8,216,925 hectares, that is, about 13 per cent less than the area previously recognised by FUNAI as traditional territory. The whole area is declared to be the permanent possession of the Yanomami and it includes 19 indigenous colonies, two national forests (the National Forest of Roraima, and the National Forest of Amazonia), and one national park, (Pico da Neblina National Park). The 19 indigenous colonies are distributed in the following way: 10 are located in the National Forest of Roraima, 5 in the National Forest of Amazonia, and 4 in the National Park of Pico da Neblina. According to the anthropologist, Bruce Albert (9), the 19 colonies amount to 2,435.215 hectares, that is, about 30 per cent of the lands the Yanomami have traditionally occupied.

The three different types of areas require different forms of administration by the pertinent authorities. For instance, national forests and national parks are under IBDF (the Brazilian Institute for Forestry Development) and subjected to the Forestry Code. National forests can be liable to economic development programmes, whereas national parks are areas of ecological preservation. The indigenous colonies will be administered by FUNAI and, according to Decree 160, the lands in between the indigenous colonies, i.e. parts of the two national forests and the national park, will be administered by IBDF and FUNAI jointly.

Although Decree 160 stipulates over eight million hectares as an area of *permanent possession* of the Yanomami, seen from an indigenous perspective, there is an inherent contradiction in the organisation of the three types of zones.

The Yanomami use of land and use of natural resources seems to be incompatible with the economic development programmes which can be introduced in the two national forests. On the other hand, the limited use of animal and forestry resources in the Pico de Neblina park can run counter to the Yanomami's gathering activities and hunting patterns. According to the CCPY, the division of the area into different zones has the intention of isolating the Yanomami into islands and liberating the main part of Yanomami traditional territory for economic development.

Indian rights in the new Brazilian Constitution

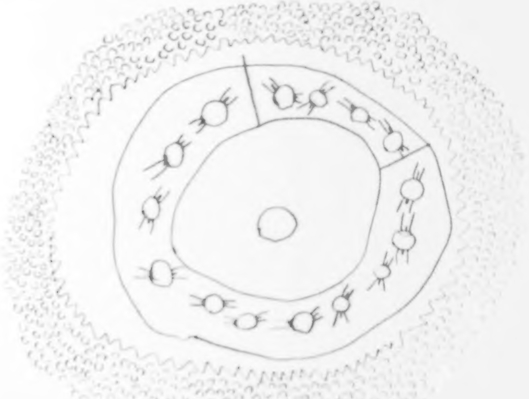
The new Brazilian Constitution (10) promulgated on October 5th, 1988, has a specific section (Chapter VIII of the Social Order, Articles 231 and 232) on indigenous rights. I will here briefly mention the sections in the new Constitution dealing with the rights of Brazilian Indians to the natural resources of their lands.

Carlo Zaquini together with three Yanomami children; the nearest to him is the child who was shot by gold-panners. Carlo Zacquini is a founding member of the CCPY and he has been living with the Yanomami and defending their rights for over 20 years – Boa Vista, December, 1988 (photo: Teresa Aparicio).

Article 231, Paragraph 2, of the new Constitution establishes that the Indians have exclusive usufruct rights to the natural resources on the **surface** of their lands. Subsoil riches are thus not included in these rights, and they have to be dealt with separately. Paragraph 3 of the same article states that the development of mineral resources in indigenous lands can only be implemented with the authorisation of the Brazilian Congress. Furthermore, the Congress is obliged to hear the Indian communities affected, before the implementation of development programmes. The last part of Paragraph 3 stipulates that the indigenous communities have the right to a part of whatever profits may arise from mineral development on their lands.

The question of mineral resource development on Indian lands may be seen as a loss for the rights of Brazilian Indians when compared with the previous Constitution which did not differentiate between surface and subsoil resources. Previously, there were wider possibilities for legal manoeuvering, even though the clauses could be for or against the Indians.

Although gold mining activities on Yanomami lands seem to be light-years away from complying with the new Brazilian Constitution, there are now some new legal instruments with which to renew the legal fight against the presence of the prospectors. If there is a political will to implement the new Brazilian Constitution, there will be a chance to sustain the legal territorial rights of the Yanomami which, in the last analysis, are the necessary means for their survival. According to the new Constitution this would mean: the immediate removal of all gold miners from Yanomami territory, the conducting of formal hearings between the Congress and the Yanomami on the issue of mining on their lands, and the revocation of the decree 160, which is not in agreement with the new Brazilian Constitution as it does not recognise the inalienable rights of the Yanomami Indians to their traditional lands (see Article 231, Paragraph 2).



Conclusion

For the Yanomami Indians, 1988 has probably been the most violent period in their short contact with the surrounding society. During that year and since, they have been confronted with armed gold miners who invade their lands, poison their waters, frighten away the game they hunt, violate the Yanomami women and make the forests which are their homes an unsafe place in which to wander. The Yanomami are also suffering the pain of seeing their people die because of lack of medical assistance, and they are also witnessing the killing of their people at the hands of the mining prospectors who are invading their lands. Some of these killings have reached the Brazilian media while others, probably most of them, will perhaps remain unknown for a long time to come.

The demarcation of the Yanomami territory through Decree No. 160, seeks to separate the Yanomami into 19 colonies. Theoretically, the land in between the Indian colonies can be opened up for development programmes which would run counter to their way of life. Similar threats to their subsistence pursuits will come from the hunting and gathering restrictions in the environmental park which has been created in their traditional lands.

The new Brazilian Constitution is very explicit about the Indian rights to their traditional lands and their natural resources. However, it is still not very clear whether the formulation of the latter in the new Constitution, which separates surface from subsoil resources, can be interpreted as a step forward in indigenous rights.

The rights of Brazilian Indians, which in general have been clearly formulated in the new Constitution, give to the Yanomami the right to demand from the Brazilian authorities the immediate removal of all gold miners from their territories as only the Yanomami people have permanent and inalienable rights to their traditional lands. The Yanomami also have the right to be heard at the Brazilian Congress concerning their reactions to gold-extraction activities in the region. And, finally, they also have the right to ask for the legal revocation of Decree No. 160 which does not recognise the ancestral territories inhabited by the Yanomami Indians since time immemorial.

If there was a moral and a political will by a part of the Brazilian military forces, by the National Security Council, and by the Brazilian Government to apply to the Yanomami Indians the legal rights to which they are entitled and which are contained in the new Constitution, then, there would be a chance of survival for the Yanomami.

Notes:

1) See *IWGIA Newsletter* No. 50. July 1987.

2) *Porantim* No. 107. April 1988. Sao Paulo.

3) *URIHI* No. 107. December 1988. Sao Paulo.

4) Cachaca is a strong alcoholic beverage.

5) *Porantim* No.5. June 1988. Sao Paulo.

6) *A Critica*. April 30th, 1988. Boa Vista.

7) *A Critica*. April 30th, 1988. Boa Vista.

8) *A Critica*. June 8th, 1988. Boa Vista.

9) Bruce Albert: Terras indigenas, politica ambiental e geopolitica do desenvolvimiento amazonico no Brasil: O caso Yanomami. in *URIHI*, February 1989. Sao Paulo.

10) *Constitucao da Republica Federativa do Brasil 1988*. Editora Tecnoprint, S.A. Grupo Coquetel. Brazil.

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1988 was IWGIA's 20th Anniversary. This third IWGIA Yearbook takes these 20 years as its main theme and traces the history and development of the organisation in relation to the indigenous movement. An illustrated account of the major events in the indigenous world during 1988, accompanied by statements and maps, is followed by a review of international developments of indigenous rights at the United Nations and the International Labour Organisation. The IWGIA Yearbook then focusses on the World Bank, the San of Southern Africa, Paraguay and Brazil. "IWGIA – 20 Years" also includes the first index of all IWGIA articles published in the Newsletters, and a survey of the work of IWGIA during 1988.

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